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WHOLE No. 2493.

## PAIAI CONTRACT IS TEXT FOR PLENTY OF HOUSE ORATORY

## The Entire Afternoon Spent Over Judge Kalua's Claims For Damages.

After a day of labor, of oratory, of roll calls, the House yesterday got through the Unpaid Bills measure, all but the reading of the report of the committee of the whole to the House, on second reading of the bill. This report will be read this morning; it takes some time to prepare such a document, as all the amendments must be set forth, and then the second passage of the bill will be had, so that its final consideration may be confidently expected for Saturday morning

There were two items which consumed the entire day, but on these

the argument was as heated as though hundreds of thousands were at stake instead of a comparatively few hundreds. The Molokai health guidas proposition was up and was talked over for more than an hour, ending in the indefinite postponement of the matter. This with some talk over what shall be done by the officials of the House as to the production of the records in court took up the morning. The record was finally produced.

The entire afternoon was occupied with the paiai matter, there being a long talk over the four claims of Judge Kalua for repayment of some \$1,500 on various pretexts. The larger items of claims, involving respectively 500, 500 and 166 bundles of paiai were all passed by large majorities, but when it came to a small item, something like \$35, the House fell upon it in a spasm of virtue, and it was knocked out. The members of the House have shown that they were in earnest in their talking for the lepers, in that they have raised \$35 for the June 11 holiday, which is quite a deal more than was subscribed by the upper

#### IN THE HOUSE.

The House had to wait a few minutes for its stenographer and clerk, who were in court, but work was start-

The Senate asked what had been done as regards the Senate amendments to the six months current expense bill, which by the way was laid över until today.

The Finance Committee reported favorably upon the request of the Public Works office for \$409.28 for adopted.

DIVIDED ON PAIAI CLAIMS.

On the special topic of paiai claims against the Board of Health, the committee was divided, Messrs. Nakaleka and Haia saying that Judge Kalua had a good and sufficient claim against the Board and recommended that \$1,520.60 be inserted in the unpaid bills measure to meet it.

Harris had a minority report on the palai question. In its course he said, that the first claim for 600 bundles, shipped regularly, without notification to the contrary, and refused, should be paid for. In the matter of 500 bundles, shipped September 22, without order, simply because he had heard that the board was buying outside, the fact that the contract was not exclusive was stated and payment refused recommended. In regard to the refusing of 166 bundles out of a shipment of 500 bundles on November 18, 1902, Harris showed that the paisi had remained at the wharf one week awaiting shipment, and that portion of the goods packed in flour bags had spoiled He argued therefore that it was not in good condition when shipped and was opposed to payment.

INTERFERENCE OF COURTS Andrade raised the question of the court's interference with the House. asking what course was being taken The subpoens had been returned. The Vice Speaker said that the House was delayed fifteen minutes by the courts this morning, and another subpoens had been served on the stenographer commanding him to appear in the court and produce the journal of the

Andrade said that in effect the journal of the last session was in possession of the Secretary of the Territory. He said the United States Supreme court had held that the Journal of the House was not evidence but a certifi-of copy of the act was the proper evidence. He said that he could see ape appearance. However, they could 2,400 bundles. Pall, Paele, Kalama and bot produce documents in the control of officers of the Territory Chillingorth and Paele supported this con-

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would be done if the hour of meeting came without the officers being present. It was the opinion of all that the courts would not endeavor to interfere with the conduct of the Legisla-

NO PAY FOR MOLOKAI MEN.

The House then went into committee of the whole house on the unpaid bills measure, two items pending. The first one called up was the item pay of guards Molokal during bubonic plague, \$1,020. Kaniho began the argument by declaring that health guards on other islands were paid. Kumalae said the work had been done and the men the point that if these claims were possible on the subject. legal, there were others from other islands who would have just claims. Fernandez opposed the appropriation, saying that no pestilence was actually according to law, and there should be no more consideration for the Molokai people than for those on other isl-

Paele said the item was a just one, calling attention to expenditures else-

The motnon of Chillingworth to indefinitely postpone was then put and carried fourteen to ten. The commitee rose and the House took a recess, after more talk about what course should be followed as to the records of the House and the Circuit Courts, the whole thing falling through when it was found that the Court had ruled out that evidence and records need not be

ROADS AND A CHAPLAIN.

When the afternoon session opened for a road to the Pahoa homesteads. Puns and \$2,000 for a road through the District of Kamaili, at Puns to meet the Volcano road. Both went to the Hawaii delegation.

There was a long discussion over receiving an oral report from the miscellaneous committee, the chairman being absent, on the application of the Rev. H Manasse, for pay as chaplain at Oahu prison, 20 months at \_\$25. which was accepted and the report adopted inserting the amount in the unpaid bills measure

PAIAI AND ORATORY.

The House at once took up the unpaid bills in committee of the whole, the pasal matter being the only one to be considered. On motion of Nakaleka to insert the item, the discussion began. He talked at length, making the points that Kalua had the right to ship to the maximum of the contract others argued the same way

Harris insisted that the contract should be regarded in settling the ques-

Continued on page &)

#### BE OR NOT TO FOR COUNTIES

Fight is On Over Validity of Act 31-Legislative Clerks Compelled to Produce Records---Fine Point of Hawaii's Status Involved.

Before Judge Gear at nine o'clock vesterday morning, the judicial battle over the validity of the County Act began. Superintendent of Public Works H. E. Cooper appeared, under temporary mandamus, to show cause why he should not deliver up to Governor Dole and others, constituting the Board of Public Institutions created by that purported law of the Territory, the control of such public works and buildings as the County Act places in charge of the hody mentioned. A member of the bar and a former Circuit Judge himself, Mr. Cooper took an active part in the preceedings from the opening and was attended by George A. Davis, E. B. McClanahan and S. H. Derby as counsel. Attorney General Lorrin Andrews was unassisted in representing the Board of Public Institutions.

Sol. Meheula, clerk of the House of Representatives, on taking the stand testified that the journals of the House for the regular session were in the custody of H. P. Thielen, stenographer. Mr. Thielen being brought in stated he had not obeyed the subpoena to the extent of bringing the journals because he had no authority therefor.

Judge Gear, after argument for the respondent, ordered Mr. NEW YORK, Thielen to produce the records, for the convenience of the House of in Gedney channel. Representatives giving him until 12 o'clock. In the meantime the sengeant-at-arms of the House, later reinforced by the vice-speaker, The Deutschland of the convenience of the clock. had appeared on the scene to compel the attendance of the clerk and stenographer in the House. Justice was blind to the chip on the legislative shoulder and so friction was avoided. It was mentioned that the hearing had been set for the early hour of nine in order that the House officers might testify before the usual opening hour of the

George R. Carter, Secretary of the Territory, failed to obey the court's subpoena and Judge Gear was going to issue a bench warrant to bring him, but this disagreeable necessity was also avoided by a judicious use of the telephone. There was some argument before the ccurt ruled on its power, holding that ever the Governor was obliged to respond to a summons of the court. Mr. Davis contributed to the

gaiety of the occasion by declaiming:
"George R. Carter is not President of the United States, but he thinks he is next to it."

Mr. McClanahan early raised the point that it was not enough to produce a printed copy of a law, but it was competent to require bles. One thousand Bulgarians have crossed the line and minor fights performed. One of such conditions in this Territory was that a bill

must have been read a third time, section by section, in each branch of the Legislature. This point is a leading one in the case, being founded on the following section of the Organic Act:

"Sec. 46. That a bill in order to become a law shall, except as herein provided pass those readings in each house on separate days, the final passage of which in each house shall be by majority vote of all the members to which such house is entitled taken by aver and nose the members to which such house is entitled, taken by ayes and noes and entered upon its journal."

William Savidge, clerk of the Senate, came upon the stand without the journals he was commanded by subpoena to produce. He c should be paid. Chillingworth said that ered he was not empowered to obey without the order of the Senate. bia. Congress is about to assemble to consider the canal treaty. he did not know of any such bills for Again there was argument, in the course of which Mr. Andrews stated guards being paid, and Keltinol made that it ought to be the desire of both sides to procure as much light as

Judge Gear ordered the witness to fetch the journals and, when the witness said parts of then were distributed among committees, it was agreed that he bring the minutes of the 48th day and the copy of Senate bill No. 1 as it passed third reading in the Senate. He was present, the guards were not appointed given until II o'clock to comply with the order.

Mr. McClanahan said it seemed to him the, in a matter of so much importance, it should be the desire of both parties to have as much light as possible thrown upon it. The court was not supposed to know what the bill contained on its pass ge Counsel did not know even if there was an engrossed copy. He quoted in his argument Cooley, the constitutional authority, Greenleaf on Evidence and a Wyoming decision, all upholding the dectrine that 'we' the duty of the courts to inquire into a law and find if it had passed by a majority of both

Mr Andrews reiterated his statement of the desirability of having full light on the subject. He quoted two tederal decisions for the Arizona, as sustained by the United States Supreme Court, the evidence doctrine that investigation of the validity of a law, with respect to its now being offered was all immaterial passage, cannot go behind the engrossed copy certified by the legislative officers How, in a case that would undoubtedly go before the United cided the Arizona case that way, it left each State and Territory to States Supreme Court, it could be ruled that the matter turned on the adopt whichever course it chose. In reply to the court's remark that journals was more than he could see The idea was absurd

"Hasn't the United States Supreme Court ever reversed itself?"

"Well, after two decisions like these it is not going to reverse itself to please the Territory of Hawaii," the Attorney General replied. Judge Gear did not see the absurdity when a majority of the States Kealawaa again introduced resolutions adopted the contrary practice However, he would reserve his ruling ability was that the United States Supreme Court would sustain it. calling for the appropriation of \$1,500 on the admissibility of the journals until he had perused the citations. fied copy of a law, are the following named:

New York, Ohio, Oregon, South Carolina, Tennessee, Virginia, West Virginia, Wisconsin, Wyoming.

Secretary Carter having arrived took the stand and produced the the manifest intent of its Legislature copy of Act 31 as signed by the Governor It was closely scanned for and that it was taken out of his own office safe that morning. The distinct peculiarity in the relation of the Supreme Court of Hawaii journals of the session' were not yet complete. He was waiting to receive them from the clerks

"Do you record the proceedings of the legislative body?" "I do not"

"Why do you not?" Mr McClanahan asked

"Because the Legislature refused to allow my predecessor to record the proceedings. The interpretation put on the Organic Act was that the Secretary was to record the proceedings as he received them from

the clerks' signature to the certificate to Senate Bill No. 1. After a point on admissibility of evidence was argued between Messrs Cooper and Andrews, the court reserving decision on the main question, witness. States Supreme Court, he did not see how it could be evaded. read the aves and noes on third reading of the bill. The vote was!

Judge Gear interrupted the reading of the report by Mr McClanahan, saying he had been looking at an Arizona case handed to him According to this decision of the Supreme Court of the Territory of

## THE DAMAGE TO KANSAS RAILWAYS IS ENORMOUS

## The President's Journey Ends and He Returns to His Duties at Washington.

(ASSOCIATED PRESS CARLEGRAMS)

KANSAS CITY, June 4 -The damage done to the railroads alone by the recent floods amounts to \$10,000,000. Epidemics are expected among the refugees.

#### The Deutschland Aground.

NEW YORK, June 4.—The crack steamer Deutschland is ashore

The Deutschland, "greyhound of the Atlantic fleet," is of the Hamburg-American line. She was built at Stettin in 1900, is 686 feet long, sixty-seven feet broad, and forty-four feet deep. She holds the trans-Atlantic speed record.

#### President's Trip Over.

DANVILLE, June 4.-The President's last scheduled speech was made here today. Roosevelt's trip ended tonight. At Indianapolis he was greeted in the rain by 5000 people. He leaves for Washington im-

#### Bulgarians Cross the Line.

SALONICA, June 4.—There is a renewal of the frontier trou-

#### Railroads to the Arctic.

SEATTLE, June 4.—Material is awaiting shipment here for a railroad to Solomon City and Council City, and later to Capes York

#### Columbia and the Canal.

BOGOTA, June 4.---Order has been restored throughout Colom-

#### Lipton's Racing Fleet.

FAYAL, June 4.-The two Shamrocks and the steam yacht Erin sailed from this port today.

#### Millions Go in Smoke.

NEW YORK, June 4-Forest fires in Canada and New England have caused a loss of several millions of dollars.

#### Seven Killed.

STILLWELL, N M., June 4.-In a collision on the Santa Fe seven were killed.

Mr McClanahan submitted that, while the Supreme Court dethe decision related to Arizona as a Territory when it was under the same federal limitations as the Territory of Hawaii is now, Mr. Mc-Clanahan said that would hold if this were to be treated as a federal question, but he considered it a purely local one the way the Federal Supreme Court looked at it If the Hawaiian Supreme Court decided the present question the other way, the prob-

Judge Gear commented that if it were the Supreme Court of Illi-The States referred to by the court, which will not go behind the certinois, the United States Supreme Court would decide according to the constitution and laws of Illinois, but the relation of a Territory to the Alabama, Arkansas, California, Florida, Illinois, Kansas, Kentucky, Federal Supreme Court was different Mr McClanahan having asked Indiana, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, to know the difference, the court stated that the States had certain powers reserved to them which Territories had not. The Federal Supreme Court would construe the laws of a State in accordance with

Mr McClanahan here raised a point that seemed later to have made some minutes by Messrs Cooper, McClanahan and Derby Witness a strong impression upon both the court and opposite counsel, the fact testified that the document was received by him from the Governor on which it was based being undoubted. It was that there was a toward the Federal Supreme Court as compared with the situation of other Territories in that regard The Supreme Court of the United States had held that the Supreme Court of Hawaii had a standing analagous to the Supreme Court of a State. He had not read the Arizona case and would like to do so before the court made its final ruling. If the Arizona decision was based on the ground that Arizona was a Territory, then he claimed that it did not apply to Hawaii

Judge Gear remarked that he felt bound by a decision of the United States Supreme Court, at least where the Hawaiian Supreme Clerk Savidge came upon the stand again and acknowledged his Court had not spoken, and he was not sure that he was not so bound even where the Hawaiian Supreme Court had spoken. While reserving his ruling, he said if the Arizona decision was the latest of the United

At the afternoon session there was another wrangle over the ad-14 aves and one absentee He then identified the conference committee report as presented to the Senate by Senator Cecil Brown subject to amendment after the ruling on the main question.

Clerk Savidge, after identifying Senate Bill No 1 for the purposes of an exhibit, stated that he did not think he could produce the journals

(Continued on page \$)

## TREASURY MEN **ARE IN FAVOR WITH** THE LEGISLATORS

## Salaries There Range Higher Than In Other Governmental Departments.

(From Wednesday's Daily.)

The House spent yesterday practically upon the Treasurer's A band of thirty-three Zionists from our children may be educated in the office. It was a day of oratory, for little actual work was accomplished. The most important piece of legislation, was the placing ment as to the visit was authorized by of the range of salaries in this office above the other offices of the one of the members of the party. government so far reached.

The Treasurer was given \$2,250 for the half year, one member The Treasurer was given \$2,250 for the half year, one member to commit himself, as he said one of that is the way with all of us. Deanaively remarking that the Attorney General had only to look up the cardinal principles of his religion con Farrar is at the head of our parthe law on subjects as asked by other officials, while the Treasurer had plenty to do watching the money The registrar was left alone but the deputy was boosted as was the stenographer. The same officer in the bureau of conveyances was aided, while the surveyor the United States in January for a party, but I don't think so. He isn't an only he has received a substantial addition to the bill's allowance.

Work stopped suddenly when the Public Works office was reached, as the payrolls had been made out and the Treasury was supposed to have money. It was not ready, however, and so the members had to wait a time. The proposal to make a new official, a commissioner of immigration, was well received and will be Australia where he has now a large

pressed by the committee in charge. Besides its final passing of the House expense bill, which during the afternoon brought the joy of possession of coin to the Representatives, the Senate yesterday passed the Board of Health items in the eighteen months' appropriation bill. They amount to \$435,925 which is at the rate of \$203,950 a year. This is apart from the salaries and payrolls of the Territorial health establishment. A stewart, another member of the party point was strained, in the interest of philanthropy, to afford aid to the Kona Orphanage. With the decision of the bonds' fate this morning the Senate will have completed the second reading of this

#### IN THE HOUSE.

o title in the Senate. The report is as committee then rose.

whom was referred House Bill 4, en- to the conference report on the journal titled an Act to appropriate money for appropriation and also of the passing of the purposes of defraying the expenses the House expenses bill. The commitof translation and printing the journal tee on enrollment announced that the of the House of Representatives of the bills had been sent to the Governor, aftregular session of the Legislature of er which the House took a recess. the Territory of Hawaii of the year MINOR OFFICERS GO THROUGH. 1903 from the public treasury, begs leave to report as follows:

"Amend the title of the bill by inserting the word 'preparation' between the word 'of' and 'translation.'

The same amendment to be made in the third line of the first section of said bill by inserting the word 'preparing' between the words 'of' and 'trans-

lating.'
"With these amendments we recommend the bill pass."

Without a dissenting vote and with

Kaili, when the House had passed into committee of the whole on Senate trict judge at Koloa but he was ruled out of order.

QUIT THE ECONOMY PLAN.

The House had recovered from its fit deputy sheriff of Maui from \$750 to \$600. The Hana deputy sheriff was given The House approved the increase. \$450 instead of \$420, and a new deputy was proposed for Honuaula at \$270, this bringing up a long discussion, which ended when the consideration was deferred until the paragraph "Pay of police" should be reached made an attack on the Molokai deputy which failed and then the Maui police item was referred to the island delegation Kauai went through as in the bill, on motion of Gandall, the item of police pay being passed without reference to the delegation.

likewise Oahu's deputies through, and the police pay item was referred to the local delegation. The items of jailors, guards and lunas were referred to Pulaa and Fernandez, Kalama, Vida, Kupihea and Kaili.

When the item "detective services" was reached Kupihea moved that it be stricken out as there was too much detective service. On motion of Vida however it was passed at \$2400, to be divided as follows Oahu \$1200, Hawaii \$600 Maui \$300 Kauai, \$300 TREASURERS SALARY.

The Treasury department was here brought up and immediately there arose a question of equity Harrie moved to standard debate. The salary of the make the salary \$1600 the same as that stenographer was raised to \$900 put down for the Attorney-General at this time and Pulsa immediate's Aylett supported this as did Keala- moved that the committee rise but the follows was both saying that I' would be in- majority warted to work the office was five by a white man and QUESTION OF SUPERINTENDENT broke out in a new place making a Sen is adjourned. He thought the peo-Treasurer had no ameletants boll to do the matter and be manted delay unt who had assistants

Harris showed by the figures that res-General's salars, that no state in the Iran paid its Attornes-General res than its Treasurer and also that the \$1500 and there has a long debate cher Treserior of great States got less sala- the matter again the motion to rise It than was proposed here. He segred | being made and this time it corried that he thrught all heads of departments cheuld he in \$2,250 but that the work byon the nations beads was pro- sixped the House expense bill portionate. Horele cald economy would! The motion to adjourn was until 9 a he better Agraned in cuting out in and it carried with that charge in support to be clocke. In closing he urged itegular meeting time that all of the heads should be gut on ! the same basis. Pulsa wanted action. deferred but the House would not,

neither would it agree to pass the item at \$1800, the economists of yesterday As soon as the House got down to when it was Attorney-General Andrews, business it was to hear the report of the turning face about and voting largely conference committee on the \$7,000 ex- in the majority, which finally passpense bill, which had been amended as ed the item as in the bill at \$2,250. The

ollows:

"Your Conference Committee to tions telling of the Senate's agreement

The registrar of public accounts afternoon session. A motion by Kupihea, that the salary be \$1750, instead of \$1500 was followed by a proposal by Long that the salary be \$1,350, which he said should be followed by the raising of the deputy registrar, as both give the same bond, and have practically similar responsibility.

Gandali and Harris argued for the \$1200, and Harris at \$1050, as in the bill 'although that was work devoting on The highest figure was adopted by the himself. On this account he had sign-Bill No 2 the salaries measure, want- | House The license inspector and li- | ed the report unwillingly, yet for the ed to reconsider the salary of the disconnection of the disconnection of the was ruled clerk \$600, the deputy insurance com-adoption of the report missioner \$525, the recording clerk \$450 and then the typewriter came in for a bill on second reading struggle Kumalae said this clerk was a voter and it was proposed to give him of economy and refused to cut the \$450, while the woman stenographer in the Attorney-General's office gets \$600

IMMIGRATION WORK SUGGESTED Long moved that there be inserted an item, \$1500 '' He explained that only by government advertising could immigrants be induced to come here within the Federal law The fact was that when the printed matter sent out under the seal of the government any immigrant that might come here would be privileged to enter without being in conflict with the United States laws. Kewent limo; moved to refer the matter to a special committee Kupihea suggesting he favored the plan but thought it should be under the Secretary of the Territory The House referred the item to a committee consisting of Long Lewis and Gandall the latter withdrawing in favor of Harris

The tax bureau items passed until that for salaries and commissions came, body, on the following vote which took a roll call, but it passed at \$45 000

The bureau of conveyances went through as in the bill until the salary of surveyor under the Torrens act. which was raised to \$1200 from \$750,

The salary checks were passed around

hold it up where a Hanaiian was in | When the scars of the Superintendoffice. Fernandez naive v said that all ent ? Public Works was reached Vida an Attorney-General had to do was to moved that the consideration be delook at the law while the Treasurer ferred. He said Sur- rintendent Cooper had to look after the mores surersise hal resented and that it was whispered the work of the office have charge of that Gov. Dole intended to delay the insurance and other matters. Kanib > 3; and of his successor until the form speech on the base that the ple should have so eithing to say in all himself and therefore was entitled the Governor at 11 know just what to more par than the Attorney-General; the Legislature mented done. It was Whispered about he esid that Eben Low mas to be given the place and the permore peed weetenday against the Atter- ple more interested to see if this place was to be so disposed

> Kuma'se moved to make the salary The Ferretary of the Territory not fied the House that the Governor had

#### IN THE SENATE.

## DOWIE THE ZIONIST IS COMING TO THE ISLANDS

Reincarnated Elijah to Make Us a Visit Next January While on the Way to Australia. Band of Converts on Moana.

(From Wednesday's Daily.)

remain for a week getting converts to the Moana yesterday and the statecouldn't say, however, how long Dowie was to remain here, and didn't want

land. He expects to spend a week in am better read than he is, and I can Hawaii, two weeks in New Zealand tell you all there is to tell."

Australia where he has now a large following. The leader of the party on the Moana is Deacon Farrar, who by trade is a plasterer and was only made wasn't at all adverse to telling about the Zion movement, once he got start-He is a Scotchman by birth but has been in Australia for a good many

"The trouble with the newspapers is that they never tell the truth about us We don't like that," said Mr. Stewart. "Now a newspaper in Australia, said there was fifty of us It wasn't so. We don't want to be lied

"Now there are thirty-three in our party." he continued, after inquiring the number from some of the women who made a mistake of one or two. "There are sixteen from New South doors of Alexander Dowie's domain Wales, nine from Melbourne and eight near Chicago.

of Health items in the appropriations conflict with the Organic Act. The for eighteen months. It was laid on Senate appeared of one mind in rethe table to be considered with the bill. The recommendations of the report are came in for a little discussion at the fully indicated in the action taken on the bill later.

Senator Isenberg reported for the conference committee on the House unpaid bills act, recommending a slight verbal amendment and therewith passage of the bill.

CLERK TOO CLEVER.

Senator Achi made a statement to salary as in the bill and that was the the effect that he had discovered that Vida the Clerk of the House had put the moved \$1350 instead of \$1050, Kalama expense of typewriting upon the House,

The report was adopted, passing the

TO AMEND BILL.

Senator Brown presented a report of the Judiciary committee on the declaratory sections of the eighteen months' appropriation bill. It was laid on the table to be considered with the The committee recommended Immigration Commissioner | striking out Section 2, as the bill contains no appropriations for roads and bridges to which it referred, also sundry verbal changes in following sections, together with a new section, all to prevent complications with county

> House bill No 5, appropriating \$13,-000 for the expenses of the House of Representatives in the extra session, came up for third reading

#### BARELY PASSED

Senator Dickey moved to make the amount in the bill \$10 000, which was Senator McCandless was laughed down when he then moved \$9,000. The bill passed by the narrow shave of one age to make a majority of the whole Ayes-Achi, Baldwin Brown

rabbe, Kaiue, Kalauokalani, Kaohi, Nakapaahu--8

Noes-Dickey McCandless-2. Senate bill No 9 making special appropriations for departmental uses for the eighteen months endnig June 30, 1905 was resumed on second reading. In accordance with the special committer a report, items were amended as

HEALTH APPROPRIATIONS A new item of \$50 m for medical de-

riment was incerted Segregation support of lepers instead of \$18250 was made 500 and this new item inserted, Provisions and ration supplies for Settlement with raisi rations 23 pounds and bref 8 pounds weeks \$106,500 Kalaupapa store was g .en \$42,000 ineread of \$33,750 with the proviso of a thre allowance of \$16 for each per-

Support of non-leprous male and femode children of lepers was made \$5,each instead of \$4 500 Finele hospital was reduced from \$2

to \$1,250 to correspond with the six tha' bill, and Queen a hespital from 1776 to 17400 or the same ground Leahi Home, or Hospital for Incurahis received \$9.900 instead of \$11.250, and Kapiolani Maternity. Home. TI REAL FROM \$7,200 to \$9,000

ORPHANS REMEMBERED.

rem item of \$700 for Kona Or-Thage was inserted To Benstor Pridwing suggestion that this should Sonator McCandless presented a re- ator Cecil Brown replied that to put report thereon.

James Alexander Dowie, the leader from South Australia. No there isn't of the Zion movement, is to make a a general migration to America. Still visit to Hawaii next January and will we like to see Zion City. That is the headquarters for it all. Most of as the movement of which he is the head. here I guess are going to Zion so that Australia passed through the city on true faith in God's way. There are seventeen children among us, you see. That is the reason I am going to Zion I know. I have five children. I was doing well in Australia, had a snug little business which I sold out to come. tour of five months to Australia via as well educated as I am, only he has the Hawaiian Islands and New Zea-, been a Zionist longer than I. Guess I

> Mr. Stewart said the religion was spreading rapidly in Australia and they were gaining converts every day. In China also the Zionists are doing missionary work and gaining many converts. They publish their own newspaper in China.

"Rev. Alexander Dowie will be coming this way next January," said Mr. stop or not. We ought to get a good many converts here, though there seems to be mostly Chinese living in

the islands.
"We don't have gambling or drinking or tobacco, or anything in Zion that would pollute the mind against God's will," said Stewart. "Zion City is the headquarters of all Zion. We expect to establish five other cities also. In Australia the work is progressing rapidly, and we have six hundred on an average at our Sunday meetings, We have just put up a new hall too, which will accommodate 5,000 people."

The Zion party is going direct to Zion City from Victoria having a special car which will take them to the

port of the special committee on Board it under education would bring it into garding the orphanage as an institution worthy of public aid.

Addition to Malulani hospital, Waiuku, \$15,000, was struck out as being in the six months' bill, and there being \$10,000 in the latter for increase of water supply to the Leper Settlement the item of \$15,000 here for that purpose was reduced to \$10,000.

Senator Dickey had \$700 inserted to buy instruments for the Settlement

were passed as follows, each recommended by the committee as in the General expenses, \$11,250, disinfectants and vaccine. \$3,750; freight on parcels for lepers from all islands, \$3 .-750, stamped envelopes for lepers \$750, Insane Asylum, \$30 000 quarantine and fumigation expenses, \$11,250; emergency quarantine and fumigation, \$15,000; running expenses garbage crematory \$6.000; furnishing receiving hospital dispensary and morgue, \$7,500; maintenance receiving hospital, etc. \$7,500 Waimea hospital \$2 625; Lihue hospital, \$2,700; Malulani hospital, \$6,000; Filo hospital \$9,000; freight and passenger service, weekly between Honolulu and ports of Maui and Molokai to lowest bidder, \$3,900, repairing and furnishing quarantine hospitals, \$2,250; medicines for free distribution in all districts, \$7,500

LIBERAL AMOUNT. The aggregate of Board of Health

Items for the 18 months is \$435,925. Senator Isenberg promised a report of the special committee on the band for this morning.

At 11:20 the Senate adjourned for the

#### **AGRICULTURAL** BOARD MEETS day until Thursday.

(From Thursday's Daily.)

Works office yesterday afternoon. L

A Thurston presided, others present being Superintendent Cooper, W. M. Giffard, J F Brown and Daniel C Dole, members and Prof R. C L. Perkins, acting entomologist

A cablegram from Prof Koebele at San Francisco was read stating that he had not been able to secure the services of an entomologist in California and that he would communicate with Washington on the matter. He also said he would report fully by mail

After discussion it was decided to await the mail advices from Prof. Koe. bele, which are due rext Tuesday, as it was feared any cable instructions might conflict with what he may have accomplished in the meantime

The appearance of the leaf hopper in Hamrkua sugar care fields was the chief topic of discussion. It was voted that Prof Perkins should visit the district next week and inspect the conditions provided his health be favorable As vas expressed, it was a case where the sunce of presention was important. Compilation of the agricultural laws

of the Territory, with such regulations ci the old beard as had validity, was considered and Messes Cooper and the in the educational department, Sen- Brown were appointed a committee to

## THE LOSS ABOUT KANSAS CITY IS TEN MILLIONS

## Six Hundred Square Miles of Farming Land Near Keokuk, la., Are Inundated.

(ASSOCIATED PRESS CABLEGRAMS.)

KEOKUK, Ia., June 2.-Six hundred square miles of farming and here are inundated at a loss of one million dollars.

KANSAS CITY, June 2.—The rain has ceased and the waters are receding. Government rations are being distributed among refugees and emergency hospitals have been opened. The loss in this vicinity will total ten millions of dollars,

ST. LOUIS, June 2.—A great flood is imminent here. Hundreds of farmers on the lowlands are homeless.

TOPEKA, June 2.—The known dead here number fifty. There is great distress and a loss of \$2,000,000 in the city. The river is now receding.

TORONTO, June 2.—The liabilities of Ames & Co., whose failure caused a financial panic here, are \$10,000,000; assets \$5,000,000.

MANILA, June 2.—The cable to Guam has been completed. Laying between Guam and Midway Island will begin at once.

DAYTON, June 2.—The condition of General McCook remains

TOPEKA, Kan., June 2.—Officials of Topeka have sent out an appeal for aid in supplying necessities for flood sufferers.

HONGKONG, China, June 2.—Chinese insurgents are reported have captured Honuchau and Cheping-chau. SAN FRANCISCO, Cal., June 2.—Former Civil Service Commissioner Mershon was today arrested on the charge of forgery.

ENID, Oklahoma, June 2.—An unknown suicide here has been identified as John Wilkes Booth, the man who assassinated Abraham

KANSAS CITY, Mo., June 2.—The flood at this point and adjoining country along the river is subsiding. Conditions are very much improved.

LEAVENWORTH, Kan., June 2.—An appeal for Government assistance to furnish flood refugees with rations has been made by

SAN FRANCISCO, June 2.—The cruiser Tacoma was launched from the Union Iron Works this afternoon. A delegation from Tacoma was present at the launching and Miss Julia Naomi Harris, a society belle of the Northwest, christened the vessel.

DENNISON, Ia., June 2.—President Roosevelt is making a quick trip through Iowa. Early this morning he stopped at Council Bluffs. After a short stay his train moved on, stopping at Dennison, Fort Dodge, and Cedar Falls. He will spend the night at

TORONTO, Canada, June 2.—The Ames Company, brokers, gave notice of an assignment today. The news created a panic in financial circles. It is feared that many minor firms will be forced to the wall as a result of the downfall of this company, which has been one of the largest operators in local circles.

GAINESVILLE, Ala., June 2.— All the available men that could be obtained have been engaged in searching the ruins caused by yesterday's tornado, for the dead and injured. One hundred persons are known to have been killed and the list of injured will not number less than 200. The tornado was of short duration, but it left terrible destruction in its path. Assistance has been forthcoming from adjoining towns to care for the dead and dving.

SUMPTER, S. C., June 3.—Thirty passengers were killed in a train wieck near Sumpter today,

ST. LOUIS, Mo., June 3.—The Mississippi river is steadily rising in the vicinity of St. Louis, and active steps are being taken to prevent loss of life.

### COOPER DECLARES **COUNTY ACT VOID**

The mandamus suit of Governor Dole and others, constituting the Board of Public Institutions, against Henry E. Cooper, Superintendent of Public Works, had its hearing continued from yester-

Superintendent Cooper, in his return to the writ, denies that the officials named as complainants "constitute a Board of Public In-There was a meeting of the Board of stitutions as set forth in Paragraph I. of said alternative writ for Agriculture and Forestry in the Public the reason that the Act of the Legislature of the Territory of Hawaii purporting to create such Board of Public Institutions, to wit: Act 31 of the Session Laws of 1903, is contrary and repugnant to the provisions of the aforementioned 'Act to provide a government for the Territory of Hawaii,' and is null and void, and more particularly for the reason that that part of the said Act 31 of the Session Laws of 1903 which purports to create such Board of Public Institutions is contrary and repugnant to the aforesaid 'Act to provide a government for the Territory of Hawaii and especially to Sections 45, 73, 75, and 80 of said Act

While admitting that on April 22, 1903, the Governor approved a purported Act of the Legislature entitled 'An Act providing for the organization of Counties and Districts and the management and control of Public Works and Public Institutions therein, the respondent "denies that said Act was passed by the Legislature in manner

and form as the same was signed by the said Governor. Further along he denies that the Board was legally organized, for the reason that the law purporting to create it was repugnant to the Organic Act. The meeting of the Board referred to in the

complaint he declares a nullity for the reasons already set forth. As a separate and distinct matter of defense to the writ, the espondent alleges "that said Act 31 of the Session Laws of 1903 as igned by the Governor of the Territory was never passed by the Legislature of the Territory of Hawaii or by either the Senate or House of Representatives of said Legislature, and is therefore null and void and of no force or effect whatsoever.'

As another separate defense Superintendent Cooper "alleges that this Honorable Court is without jurisdiction to hear and determine all or any of the things and matters in said writ set forth."

## the Board of Missions.

(From Wednesday's Daily.) Mrs. Mary Knight Hyde for twelve years the president of the Woman's School had their inning last evening Beard of Missions of the Central Union Church declined reelection at the annual meeting yesterday and Mrs. Geo. P. Andrews was chosen in her place. Mrs. Hyde intends to leave the islands for a time at least, so could not accept the office again. Her departure is viewed with sincere regret by the members of the society, as was evidenced by the unanimous adoption of the resolution offered by Mrs. Whit-

ney, in which the heartfelt sorrow of the society was set forth. THE MORNING SESSION.

The morning session of the board was devoted to hearing reports of the various officers. Mrs. A. F. Soares reperted upon the work among the Portuguese, saying among other things that through lack of funds it become necessary to discontinue the day school. The buildings were turned over to the government for a primary

Mrs. F. W. Damon reported upon the work among the Chinese, including also reports of officers in charge of branches.

Reports were also read of the work of the society branches upon Maui and

The report of the Gleaner's Society was especially interesting, the society reporting, however, that it was necessary to give up the weekly sewing day, because of the inability of the members to attend.

The appropriations made by the society for the various branches of work was the same as a year ago. AFTERNOON SESSION.

The afternoon session of the society was opened with a solo by Mr. Prouty accompanied by Mrs. Smith, which was much enjoyed. Prior to the beginning of the meeting a luncheon was served for the members and their friends in the church parlors.

ELECTION OF OFFICERS.

The list of officers submitted by the nominating committee was unanimously approved, though much regret was expressed over Mrs. Hyde's declination, of the office of President. Mrs. Andrews, her successor, will, it is believed, carry on the work in the same manner as it has been so ably conducted in the past by the retiring pres-

The remaining officers and committees are the same as served during the

MRS. HYDE'S FAREWELL.

Mrs. Hyde made an interesting address in which she asked the society to continue the work as it has been begun. Her subject was "To the extent of Our Ability. "She Hath Done What She Could.'

She spoke of the immense ships, the cable and the sailing ships, and the ease with which they are handled by the man at the wheel. She then said: "The power we have in religion is not a power of self impulsion but the power of the man at the wheel. We must link our hand with the hand divine, and oblivious of all that would distract, keep our eye fixed on the chart and steer in the right direction. We cannot create the breeze that will waft us heavenward but we can trim our sails, order our lives, walk in the way of His appointments and so take advantage of it."

Further she said "Christ must be the motive power working in us, working through us. There is no question but what some of us enter life with an advantage while others are handicapped. Christ's words "She hath done what she could," are a comforting lesson for all who are bemoaning their circumstances or condition or environment, as limiting their ability to do loving service for Christ. It teaches us that in order to serve Christ acceptably, we have not to change our lot or seek other conditions than those in which we are placed. Making the most of present ability and present opportunity, we shall be fitted for the greater work God has in store for us. The place is nothing the heart is everything."

She spoke of Booker T. Washington and Helen Keller as those who had shown what one person can do with Christ's help. In conclusion Mrs. Hdye said, "It is as you spend yourself that you will be enriched. It is as you pour out your life that the emptying will fill it higher. Christ accepts and blesses all the offerings of loyal hearts and silent love the world over, and we can do for Him in proportion as He lives in us.

"My dear friends as I speak to you for the last time as President of this Board I would impress upon you your responsibility for the best service Whatever your pound of spikenari may be, what greater joy that than to devote it to Christ's service. To do all that we can, means the consecration of every power, every affection, every hour, if service is required give that, if endurance accept that, only remembering that Christ's service demands the best,-demands all, to the last drop of oil or the breaking of the alabaster box, your most costly sacri-

Following Mrs. Hyde's address Mrs. Siemeon cang and then the Rev. J. C. Meserve of San Francisco was called upon for a few remarks. He emphasized the need of the work that the women were doing and complimented the whole world kin." the Woman's Board on the program of the day Mrs Meserve was also called upon and said she was a little surprised to see the same sort of missionary gatherings here as she had phrase an old saying" she said, "it is and was listened to with interest

## RETIRES AT ST. LOUIS

#### New President for Will Have Exhibit All Their Own.

(From Wednesday's daily.)

The boys of the Kamehameha at Bishop Chapel. There are ten graduates, and all those given the opportunity acquitted themselves well at the twelfth annual commencement exer-

The essay of chief interest was that of Stephen L. Desha who spoke on sition." He told what the boys of the school intended to do at the fair, and if the promises given in his well-written essay of last evening are carried out, Hawaii will have at least one exhibit at the Exposition of which it need not be ashamed. The exposition was valuable, he said, in that it was of educational worth! It gave one a chance to see things, which could be otherwise obtained only by long and expensive travel. Also the fair was a great advertising medium, and Mr. Desha suggested that Kamehameha could profit much by adopting some of the features to be found at the fair.

He said further that Kamehameha would be represented in all her departments, there would be an exhibition of the shop work, of the collegiate department in essays on Hawailan life, with incidents of the life of Kamehameha the Hawaiian Bill of Rights, the Tard plant, etc. There would also be papers on the agricultural life of the islands, an interesting exhibit of the tailoring department in samples of Khaki uniforms made by the boys. There is also to be an exhibition of tools, made at the shop, of plants grown by the school boys, and also of the seeds of Hawaiian products. Then there is to be an illustration of the school's aim and scope by means of seventy photographs which are to show the cortage built by the boys, also a dray and a wagon, and other articles fashioned by the students. The essay was closed with the statement:

"Kamehameha should be proud of her

There were also a number of other interesting essays and well rendered songs, the latter by the Boy's Glee Club. The graduates are:

Thomas Mahi Kelii, Akaiko akana, James Apao, Aifred Kalanianaole Akana, John Rollin Desha, Stephen Langhern Desha, Edward Julius Hardee, David Ohia Konaaihele, Robert Plunkett. John Robert Kekuewa.

The stage was prettily decorated for the occasion, a large Hawalian and American flag crossed at the rear of the stage setting off the gray uniforms of the boy graduates. . The presentation of diplomas was made by Hon. W. F. Allen, president of the Boari of Trustees, and the address to the students was by Rev. S. L. Desha of Hilo. The following program was carried out:

Organ Prelude Allegretto Grazioso..

Miss S. Lillian Byington. Rev. Stephen L. Desas.

Music-"Still, Still With Thee"..Gerrish Glee Club. Salutatory. . ...... Thomas Mahi Kelii.

A Day at Kamehameha..... David Ohia Konaaihele. Music—"Kentucky Babe" ......Gelbel Glee Club.

Kamehameha at the Louisiana Purchase Exposition..... Stephen Langhern Desha. Health Conditions in Modern Life James Apao.

The Commercial Value of English .... John Rollin Desha. -"Golden Ring" ......Folksong Music

Glee Club. Our Hawaiian Heritage and Valedictory. . .....

Akaiko Akana. Music-"Sweet Lei Lehua"..... Glee Club. The Alumni. ......

David L. Ai. Address. . .................. Rev. Stephen L. Desha.

-Solo. . ...... Mr. Stanley Livingston. Presentation of Certificates..... Hon. William F. Allen,

President Board of Trustees. Hawaii Ponol. ...... 

Dr. William B. Elkin. Organ Postlude—March...... Wely

#### HIND-LOW RANCH DEAL IS COMPLETE

The sale of the interest of Eben Low in the Kohala Ranch to Robert Hind business men. was completed Monday, all the papers in the transfer being signed. This gives ranch, something he has looked forward to for some time, and to which he will give his personal attention in the future. The price was, as previously reported in the Advertiser, \$85,000.

The Honolulu plantation is threefourths through its cropping and enough is left in sight to assure the full estimate of sugar for the year.

............... one touch of missionary that makes

Mrs Dr Scudder talked of missionary work in Japan, and there were remarks also by Mr. Hill of Hilo, Rev.

O. H. Gulick and others. The report of Laura C. Green on work seen in Boston and London. "To para- among the Hawaiians was also read

## PUBLIC WORKS IN HANDS OF ENEMIES · IN LOWER HOUSE

## The Superintendent's Salary Cut and His Assistant Left Out of Bill.

(From Thursday's daily.)

Salaries occupied the time of the House yesterday, and after a lowing an opinion by Attorney-General morning spent in futile talk the afternoon session proved productive of progress in a marked degree. The time spent over the items still seems to be out of proportion to the savings which were effected, one attempt at a simple \$50 reduction, which by the way did not connect, occupying time sufficient to mean nearly twice the amount of expenditure from the House.

Of the day's work the most important action was the cutting out of the Assistant Superintendent of Public Works, as well as all the appropriations for clerical assistance in the office. The members seemed to have an opinion that there should be a change in the conduct of affairs in that section of the government, and the result was the complete excision of the office of the assistant, so that the head of the department may be considered and be in fact the working head

During the afternoon there was considerable talking and progress made in various lines. The committee reached the water department, and went over some of the officials, but were unable to complete the office during the afternoon. It will take several days to complete this bill at the present rate of progression.

After passing the departmental appropriations for eighteen months on second reading, the Senate yesterday adjourned over till Saturday. Strong safeguads for the protection of the public funds from unlawful or irregular expenditure were placed in the bill. Rural sentiment in favor of making the band a county institution seemed to be thoroughly dislodged by the clear statement of the special committee on that subject, showing that the band is part of the Hawaiian National Guard, enlisted in the United States militia, and under command of the Governor. Altogether it was the are to be asked to provide for bunks mildest-toned sitting of the upper body held from the opening of the regular session until now.

#### IN THE HOUSE.

of the whole affair.

The House, called to meet at nine o'clock was a half hour more in getting a quorum, and when it opened with Vice Speaker Knudsen at the gavel it was with the bare sixteen members, the stenographer acting as clerk and representative Oili as chap-

The Senate returned the House bill No. 2 the six months' expense bill, with many amendments in proper form, and it took until the regular hour for meeting to read and interpret so that there was a fairly full attendance when Keliinoi moved non-concurrence with the Senate amendments. Kumalae moved to defer action for two days and this carried. The Committee on Public Lands re-

ported favorably upon resolution 14, by Pulaa, asking for \$260, to reimburse Mrs. Kamakaheikuli for land taken for road purposes, which report was adopted and the item ordered into the unpaid billa

PUBLIC WORKS SALARIES. The House then took up the salaries

bill the first thing considered being the salary of the Superintendent of Public Works. There were a volley of amendment, they finally settling down to the question of reduction to \$1.800. as Harris suggested that there should be uniformity, which carried by 16 to

Fernandez then moved to reconsider the vote upon the salary of the Treasurer, which being agreed to at once he moved to reduce to \$1,800. On this motion the ayes were twelve, the

noes twelve, and the chair declared the motion lost. Kumalae raised the point that the chairman had voted which was contrary to rules. This participitated a discussion on procedure which was long and to say the least peculiar, ending with a defering consideration of the item until after-

ASSISTANT SUPERINTENDENT OUT.

Kupihea moved to strike out the Assistant Superintendent and Vida seconded, saying that the office was unnecessary suggesting that the two offices, assistant superintendent and road supervisor be combined, as there are a host of clerks falling over themselves in the two offices. He said such combination would be in the interest of economy. He said \$20,000 had been spent on the Nuuanu bridge on estimates of \$10,000 and now the foundations were being torn out. He thought a good road engineer would do all the work and cheaper too. Kumalae supported the motion, say-

ing that there was too much sending for subordinates and transmission of orders which could be sent out direct He said no assistant was needed to have the orders from the superinten- | partment. dent transmitted to the subordinates. In important matters the superintendent acted directly, then why have so many officers.

NEEDS COMPETENT ASSISTANT. Gandall argued that there was necessary a competent assistant, to represent the superintendent in his ab-

(Continued on page 6.)

## WAIALUA RESERVOIR AND DITCH WILL BE BUILT

Mr. J. H Braley, a prominent banker ing is going to become a success. It of Los Angeles, returns to the coast on the Alameda today after a month well spent in the islands. He came down to look into the project for the construction of a reservoir and ditch at Wahiawa for the farmers there, and for Waialua Plantation, and goes away convinced that the scheme will be a success. Mr. Braley said last evening that be completed for eighteen months, or the work actually started until after try for small farming. the winter rains.

"I have been in the islands for a than pleased with the beauties of this with its generous and enterprising lalua Agricultural Co. in their great

complete control to Mr. Hind, who finds I don't think that I could have formhimself in possession of a well stocked ed stronger attachments for a place dividend for a very large capital. or people than I have for this place and these people.

"I think a brighter day will dawn for these islands within the next five years. I think Honolulu is going to be one ty water over the pumped. of the important ports of call if not the most important one in Pacific waters. Ore thing that is going to help with the mainland—more fine steamers. pulse will be the completion of the Pa- cla'is this one. nama Canci

"You have one great industry, that formed yet to say whether small farm. 'may offer."

would add greatly to every interest to have the country filled up with small American farmers.

"I visited the Wahiawa country twice. It is certainly a very pretty country. I think there is no doubt but what the pineapple industry up there is going to be a success and there is good land enough to make quite settlement o small farmers. Yes, I think that bathe dam would be built, but it may not | nanas can be grown there at a profit and that would be a beautiful indus-

The reservoir site is very good, the building of a canal is altogether pracmonth," said Mr. Braley at the Ha- ticable and I have no doubt it will be waiian last evening, "and I am more built in the very near future and will be a financial success both for the island, its interesting features, and Wahlawa Water Co., and for the Wasugar plantation. The saving of the "I must say that I have never been, stored water, which will go by gravimore cordially received in any place I ty into the cane lands needing irrigawill be enough to make a pretty good use both kinds of irrigation in Southern California, pumped and gravity wairr, and we are well acquainted with the advantage and cheapness of gravi-

Every inch of water that runs down sea should be conserved and put to prothese islands is better communication fitable use, and I have no doubt but what this will be done more and more, They are going to come, but the thing year by year. Yes, I think these isithat I think will give the greatest im- and a have a very bright future espe-

"I have not taken time to visit the other islands but I have done this one is sugar production. At first I felt a pretty thoroughly I have visited about little discouraged about the outlook, but all of 'ts interesting points and have the more I looked into it the brighter born clear around the island. I shall the outlook seems to me I think I always have very pleasant memories have never seen a place where the of this visit and will always be and larger husiness interests were better ready to say a good word for the islorganized. I don't feel well enough in- ands when and where opportunity

### Board of Health to Probate of Henry Obey County Act.

(From Thursday's Daily.)

The Board of Health will accept the ly. This position was decided upon at meeting of the Board yesterday fol-Andrews. The Board of Health will virtually continue in charge of the asylum as in the past, acting however as the agent for the Board of Public Institutions.

"I see no objection to the Board of Health turning over the Insane Asyum," said Mr. Andrews at the meeting. Under the County Act which is lawful, until it is repealed or declared illegal, the Board of Public Institutions is entitled to control of the asylum, and I see no reason why it should not be turned over. It is the idea of that board to have the Board of Health remain in charge as agents and it will O. K. the expenditures, so that there will be no question with the auditor." Upon motion it was decided to send a notice to Secretary Carter saying that

the Board of Health was ready to surrender possession of the Insane Asy-

TENDERS FOR SUPPLIES,

Tenders for supplies will be asked immediately by the Board for the next two years. It was decided yesterday to ask for bids for paiai at twentyone, twenty-three and twenty-five pound weights, as the action of the legislature is not yet known. In the call up. 60.00 for bids for the carrying service to the 100 shares Florence Oil 125.00 settlement, the steamship companies for the accommodation of lepers. These however need be only temporary af-LAHAINA WANTS INSPECTOR.

A petition was read from Lahaina residents urging the immediate appointment of a sanitary inspector for that place. If all the things are true that the petitioners say, then Lahaina needs a general house cleaning very badly. They say that there are a hundred Japanese and Hawaiian fishermen, who sell bad fish at times, seven poi factories, some of which are in bad condition and eight coffee shops which also need overhauling. The secretary was instructed to notify the petitioners that the Board of Health had no appropriation for a sanitary inspector but had asked for one for that pur-

Attorney-General Andrews reported on the bill of G. W. Lockington for services at Hilo during plague times that the work had been done more than two years ago, and therefore could not be paid out of the present appropriation. He suggested that Lockington ask the legislature to make a special appropriation for his payment.

quest of Mrs. Nakuina for lease of cer- creditors, nor allege what price was tain land at Lahaina, that the property paid by complainant for the land, nor was under the control of the Land De-CITY SANITARY OFFICER.

in part as follows:

Sixteen lodging houses, seven resaurants and two hotels applied for certificates of sanitary condition to obtain licenses and all save three lodging houses which still have some minor improvements to make were granted them. Of the three lodging houses and one restaurant licenses held over from last month, the three lodging houses are still held. One thousand four hundred and eleven adults can lawfully be lodged in these buildings licensed.

Four 48-hour notices have been served and in three cases the work required was completed. In the fourth case an extension of time was granted.

Three arrests have been made and a conviction secured in each case. The Pinao, deceased, has brought suit to first case was a man who neglected to compel an accounting by Kailimai, adremove some dead animals from his premises and was fined \$5.00 and costs; charges that he has neglected his adthe second was caught dumping gar- ministrative duties, leaving them to his bage in a vacant lot in Chinatown. He bondsman, Edward B. Mikalemi, who paid \$25.00 and costs. The third was a man who was careless of the sanitary confidence reposed in him by said Kacondition of his place and paid \$3.00 and costs of court.

Two inspectors have been on special duty all month and consequently their districts have not been watched as much as was necessary, but at various times some of the other inspectors were detailed to investigate and have remedied conditions in various places in them. BOYS MAY GO TO CAMP.

members of the National Guard in the employ of the Board of Health are to be given five days' leave of absence to colic, cholera morbus and pains in the have ever visited. For so short a time tion over the cost of pumped water, attend the encampment which begins June 10th.

ORIENTAL HEALTH. Dr Cofer's report on Oriental health

inditions was as follows. I have to report the health conditions in the Orient as follows:

Hongkong, two weeks to May 13, 1993 -Asiatic cholera, cases 2, deaths 0 the streams from the mountains to the smallpox, cases 1, deaths 1. plague, caece 194, deaths 165.

Note -- Smallpox cases among paseengire and crew. (6 cares on board upon arrival, diagnosed as smaller v by local officer. 6 cases developed on board | poople than any other medicine in the

Shanghal-Smallpox, cases 0, deather

Nagazaki-Clean.

Kobo-Smallpox, capes 4, deaths 6 Yokohama-Plague, cases 2 deaths 2

## UP ASYLUM IS DISPUTED

## Robert's Estate Concluded.

(From Wednesday's Daily.)

Judge De Bolt has allowed plaintiffs law as laid down in the County Act bill of exceptions to the granting of a without question and will surrender new trial in Lum Lung and others vs. control of the Insane Asylum to the Marion M. Hoyt, formerly Luning. The Board of Public Institutions immediate. Jury found \$594.07 damages against the defendant in this case, but Judge De Bolt granted a motion for a new trial.

AN AUNT'S BILL.

Judge Gear ordered the approval of

accounts and discharge of W. O. Smith, administrator of the estate of Henry D. Roberts, deceased, upon his depositing in court all property of the estate remaining in his hands. This was on a hearing of the report of F. H. Loucks, master, in which attention was called to a claim of Mrs. Edith M. Bonelli for \$710 on account of care and maintenance of Helen Roberts, her niece and a daughter of deceased aged 3 1-2 years. Mr. Smith refused to pay this claim without an order of the court. The charge was at the rate of \$25 a month. As the amount was entered in the schedule of payments, the court ordered it surcharged to the administrator, making the balance on hand \$4,730.11 instead of \$4,020.11 to be paid into court. It was also ordered that the administrator account for shares of stocks given in the inventory of November 1, 1900, viz.: 300 shares assessable McBryde Sugar Co. estimated at \$1,250 value and 50 shares of paid-up Waialua Agricultural Co. estimated at \$5,500 value. The inventory filed with the final accounts shows: Cash on hand......\$4,020.11

Five share Olaa Sugar Co. paid-Household furniture, etc.....

The heirs are the widow and four daughters, from 9 years to 20 months

Decedent was master locomotive engineer of the Oahu railway at his death. INJUNCTION SUIT DEFERRED. The injunction suit of Kapiolani Es-

tate, Ltd., against Superintendent of Public Works Cooper et al., to enjoin the taking of land in South street for road purposes was postponed by Judge Gear's allowing defendants five days more in which to demur, answer or plead.

It is stipulated in Hayselden vs. Pain et al. that defendant have 20 days more in which to plead, answer or dtmur. Plaintiff in Hackfeld vs. Strauch et al, gives notice of motion to set cause

for hearing. KAMALO CASE AFTERMATH.

Defendant in Lawrence H. Dee vs W. H. Smith demurs to the complaint on eight stated grounds. It is set forth that tht bill does not charge that the deed from Frank Hustace to defendant was without consideration, nor say that the defendant participated in the al-Mr. Andrews reported also on the re- leged intent of Hustace to defraud his describe the judgment alleged to have been recovered against Hustace et al. by H. R. Hitchcock et al., nor whether City Sanitary Officer Tracy reported it was recovered at law or in equity. nordescribe either the deed from Hustace to defendant or that from the High Sheriff to complainant, and that there is a non-joinder of Hustace as a necessary party. The case is an aftermath of the celebrated Kamalo Sugar Co. case.

#### HORRIBLE CHARGE.

Rosa Machida Keola has brought suit for divorce against James Keola, charging him with incestuous intercourse with his mother-in-law, the libellant's mother. The parties were married by Father Clement on April 24, 1893, and have two daughters nine and six years of age respectively.

UNFAITHFUL STEWARDSHIP.

Kahanu, daughter and sole heir of J. ministrator of her father's estate. She she declares has "abused the trust and illmai and deponent, and has fraudulently and without consideration procured deponent to make a deed of a portion of her property to him, the said Mikalemi, and another deed of another portion to him, the said Mikalemi, together with his wife, Keliikeku-

#### TEN BOLD ASSERTIONS

Upon suggestion of President Cooper Regarding Chamberlain's Colic, Cholera and Diarrhoea Remedy It affords quick relief in cases of

> stomach. 2. It never fails to effect a cure in the most severe cases of dysentery and diarrhoea

3 It is a wure cure for chronic diar-

1 4 It can always be depended upon in cases of cholera infantum

5 It cures epidemical describing,

It présente billique como It is prompt and effective in our

atelefamon feword file ani

It never produces bad results. It is planeart and safe to take 10 It has eased the lives of more

Arrov, China-Plague (estimated), 59 These are bold sessitions to make ingarding and medicine but there is abundant proof of every one of the above einternette regarding this reme-Free household should have a bettle at hand. Get it today. It may save a life. All Dealers and Druggista (Both occurred May 12th and died May well it Benson, Smith & Co., Agents for Hawall.

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## gamaiian Gazette.

ared at the Postofice of Honolalu, H. T., Second-class Matter. SEMI - WEEKLY. 488UED TUESDAYS AND FRIDAYS

**WALTER G. SMITH, EDITOR.** 

SUBSCRIPTION RATES: -Payable Invariably in Advance.—

A. W. PEARSON,

#### FRIDAY : : . . : JUNE ( A COMMISSIONER OF IMMIGRATION.

Carlos Long's proposal of a salaried Commissioner of Immigration, strikes this paper as being a sound one which the Legislature would make a mistake not to adopt.

If we are going to have a useful effort to get immigration it must be systematic and intelligent. Somebody must be specifically charged with the work, for what is everybody's business is nobody's business,

It is the right idea to have immigration of any kind in charge of the Government; for the latter can do what, in the case of private individuals, the law would not permit.

The United States statutes governing commonwealth to seek immigrants, realizing that each State or Territory knows what it can assimilate and care for in the way of alien population. This knowledge, this prerogative cannot be delégated to a private individual, and therefore the immigration and contract labor laws strictly prohibit the making of overtures to any alien by a citizen. Coming from an officer of the government the solicitation is permissible, from a citizen reprehensible.

#### THE NORTHERN SECURITIES CASE.

[The Official and Commercial Record.] The Northern Securities case has

come to the surface again in a new phase. It will be remembered that a few weeks ago the four judges of the U. S. Circuit Court decided that the purchase by the Northern Securities Company of the control of the stock of the Northern Pacific and the Great Northern Railroads was unlawful, as being in restraint of trade, by reason of the two roads being competitors between common points. An injunction was issued prohibiting the holding company from dealing with the two roads among other acts covered by the in junction was the payment of dividends The Securities Company applied for a modification of this portion of the in-Junction and against the opposition of the Attorney General of the United States, the modification has been granted. The grounds for the modification seem reasonable. They are that the law does not prescribe any forfelture of the property of the Securities Company; that it simply provides that it shall not carry on business in such manner as to arbitrarily restrain the freedom of trade.

If on appeal the Supreme Court sus tains the decision of the lower court, all that will be required is that the stock in the two railroads shall be returned to the original owners thereof. Or in other words, the decision will be practically an annulment of the agreements of the sale to the Securities Company, the ownership of the stock rethe same persons who owned the railroad shares own a pro rata amount in the Securities Company, there will be no confusion and the money paid out to the owners as stockholders in the railroads, or indirectly as stockholders in the Securities Company, will go to the same people and in the same amounts

Under these circumstances the court has held that it would be an unnecessary hardship to the stockholders to keep the dividends tied up, pending the decision of the Supreme Court, no principle being involved either in the withholding or payment of the dividends The payment of the regular monthly dividend of the Securities Company will therefore continue, pending final decision-of the Supreme Court of the United States

The story that John Wilkes Booth was not shot by Boston Corbett and nothing in the young man's life had that he killed himself the other day in Oklahoma, having escaped after the tragedy at Ford's Theater, would be more interesting if true. Booth was as well known in Washington as a star Honolulu and had shown faith in his actor in a small city usually is and when his body was brought to the Old Capitol prison it was identified by sev. is twenty-one years since the writer eral army men who had known him. It came to know him at Ithaca, New York, had to be identified before the reward and in all that time his esteem for Mr could be paid The Provost Marshal of Washington at that time a gentleman who visited Hawali in 1894 and gave a lecture on the subject in Dr McGrew's ed to a worthy career and a happy enddrawing room saw and knew the body. There is a recognizable Booth look his, the ending was tragic and pitiable about the Kaneas man which may be accounted for by the fact that Junius Frutus Booth father of Edwin and John Wilkes, had natural sons. The strain of insanity among the Booths may account for the Kansas man's hallucination in his latter years

The Sargent report on Hawaii will be one of a long series. There have been enough reports on Hanali to fill a small library, at least one other Fitzgerald s, dealing especially with the abor question Probably there have been several more on the labor lesue but life is too short to keep track of them. No matter how complete and tru hful a report of this sort may be Congress pays little attention to it but legislates at grave of the dead Peace to his its one sweet will influenced more by the politics and prejudices of the moment than by the merits of the case

There should be a moment s pause by legislators when they feel inclined to achieve the President was ent and slawy bajaries one moment and either carejeceness with the cash before the cash of the sales of the s elevate them the next. Economy is not shown in clipping a dollar here and to a friend. True economy lies in a different direct' n and the public serthe of important duties in the hands of line for a President to stumble over herefore prevailed throughout the methods backed by the capacity for

#### CHAMBERS OF COMMERCE

Chambers of Commerce resemble each other only in name. There are Chambers of Commerce which are merely solemn conclaves of large-waisted capitalists who meet when their own interests are imperilled and pass resolutions; and there are other Chambers of Com merce which are filled with shrewd, public spirited and progressive men who get together when there is a chance to do something for the community and who go ahead and do it. Until lately the Sau Francisco Chamber of Commerce was a Rip Van Winkle organization which woke up once in so many years to look about in a dazed way and hear the dogs bark at it; and possibly, despite the roasting it had from the Chronicle it is the same somnolent body yet. Its last remembered arousal coincided with that of the Honolulu Chamber of Commerce, when congratulatory cable messages passed time, of course, there was no thought between them—though there are flippant persons who deny that any of any political entrance of the United real awakening occurred and lay the whole thing to somnambulism.

We are called to this subject by the receipt from the San Diego Chamber of Commerce of a leaflet, under date of May 15, which shows what value to a city such a civic body may become if it is in Philippines, whether or no they be perthe right hands. The membership of the San Diego Chamber is 400, or two per cent of the population. A handsome headquarters, filled with exhibits of the county's products is kept up. Says the leaflet: 'Illustrated literature is prominently displayed and some one can always be found in the office to answer inquiries—everything possible being done to attract and please the large number of people who anticipations rested upon a purely daily throng the rooms." During four months ending May 15, 20. 000 visitors saw the display and about 25.000 pieces of literature were handed out. Nearly as many more were mailed. One thousand letters, an average of 250 per month or over eight a day, were received and answered. For three months in the year a special tourist nected with the aggressive activities of agent is supported at Los Angeles and an exhibit maintained. Here is a paragraph of the leaflet which is given entire:

Close touch has been kept with the management of the different immigration recognize the right of the railways interested in western passenger traffic, and valuable assistance has been obtained from them in advertising our beautiful city. Special letters have also been written and furnished eastern papers, and several very desirable writeups have been secured in prominent chipelago. It may be safely assumed magazines. The result of this thorough and effective work is evi- that, except in contingencies of which denced by the large number of tourists who spend the winter months with us, and there is every reason to believe that the ratio of increase will steadily grow greater and greater, for in the opinion of ex perienced observers the influx has but just commenced. The people throughout less favored portions of our great and prosperous country are just beginning to realize that the gates of an earthly paradise are open to them, and it is safe to say that the prediction of Collis P. Huntington that Southern California is destined to become the est to the American people. most thickly inhabited portion of the civilized world, is being rapidly fulfilled. In all this favored region no spot is more attractive than our own magnificent county, within whose immense area homes may be found for many times the present population, a thousand centuries, and the final object of which homes where one exists to day.

> The San Diego Chamber has hundreds of watchful eyes and misses no chance to help the general interests of the city. Legislation, State and National is watched, especially to the end that the port shall be improved. The Chamber ascertained, at large expense, the character of the formation of the bar at the entrance of the harbor and then brought enough pressure to bear on Congress to get appropriations for dredging and building a jetty. Contracts have be deferred, is in plain sight, and may been let to give the bar a depth of thirty feet at low water. By hard be seized or apathetically disregarded, work the Chamber got the Government to set aside 400 acres for as the executive branch of our governa military reservation and build a fort on it.

As showing how active the Chamber of Commerce is and how wide is the range of its effort, the following extract from the leaflet will be of interest:

The Board of Directors hold meetings regularly at 4 p. m. Friday of each week, beside special meetings from time to time, members of the organization being always welcome. Each director is also chairman of some committee, and scarcely a day goes by without its committee meeting, your Board of Directors giving of their time ential, and probably controlling. freely and willingly. For instance, the work of the committee appointed to secure a Biological School on San Diego Bay may be cited. The members of the committee have held two or three meetings weekly, have driven long distances into the country, finally securing the purpose shows the territorial unia fund sufficient to warrant Professor Ritter of the State University, transferring his plant from San Pedro to San Diego, and assuring us a thorough and careful study by experienced observers of the mamaining as it was prior thereto. As rine life to be found in San Diego bay, and in the ocean just off seventy degrees of longitude or thereshore, which we have reason to believe will result in the permanent abouts. The transfer of Alaska to the establishment of a great Biological Station on our bay one that establishment of a great Biological Station on our bay, one that will attract students and scientists from all over the world, and this upon Asiatic soil and withdrawal from as dividends, whether it is paid direct is the result of the efforts of but one of the many committees constantly working for the advancement of San Diego's interests.

Now there is a Chamber of Commerce worth while. It is awake, States and the Canadian Dominion. up-to-date, progressive, public-spirited, watchful and constructivethe kind of a Chamber of Commerce that pays. And through its efforts, despite the fact that San Diego is and and not to be com- the Chinese Empire, that would secure pared either in climate or scenery with the Paradise of the Pacific to Russia an impregnable position in the place is drawing thousands of tourists and hundred of settlers annually.

"The moral of all this," as Cap'n Cuttle was wont to remark, the Russian sphere of influence, and "lies in the application of it."

#### EDWIN R. NEWMAN.

The suicide of Edwin R. Newman was a shock to the community for which sunny nature, had come to resume what had been a successful business life in prospects by sending for his family. It Newman had never been diminished. Diligent, capable, honest and of pleasant manners Newman seemed destin-

ing of his life The worthy career was What impelling causes led to the sulcide we do not know Stories are told which would seem to leave others much to explain and these are being investigated The Advertiser will not jump at conclusions but it hopes to be able within the next twenty-four hours to get at the truth or falsity of current

rumors In the meantime there are the widow and children for wh m the world bolds small comfort and to whom even the kindly ministrations of friends yield but a feeble solace. Such a death as this of Edwin R. Newman projects a long train of evil consequences that most afflict those who are least able to bear them. It is not enough to say at the One must hope also that the 8.5.hes living may find peace

The finding of a satchel of dynamite secheduled to learn his train shows | secret sem to men or a plot against shown in clipping a dollar here and the Presidents if a There are not the public interest to have tion and propel humanity slong its there and adding a few hundreds in a the President of the are not the law tested at an early date, as upward wase until it reaches those there and adding a few hundreds in a security parts of enable one to government work will cost considerform a cle - cripion but anarchists who mean honces do not generally than under the usual nine and ten its final opportunities. And all this different direction and the public ser- leave satchele of dynamite around wait- he are taking day which hours have that he accomplished by peaceful

#### THE EIGHT HOUR LAW.

[The Official and Commercial Record ] The Territorial legislature has passed a law requiring all contractors prepared it Mr Newman was of a doing government work to work their employees but eight hours a day,

About the same time that the legislature of Hawaii was enacting this law, the Court of Appeals of the State is twenty-one years since the writer of New York was delivering an opinion that a similar law recently passed by the legislature of New York, violated the fourteenth amendment to the Federal constitution, and was therefore void.

The constitutional provision violated, guarantees equal protection under the laws to all citizens

The reasoning by which the law in question is held to be inconsistent with the constitution, is that the law allows one person to lawfull; contract with a private individual to do certain work under certain conditions, but prohibits another person from doing the same kind of work under like conditions for the government This places the second contractor under a disadiantage as compared with the In other words the law is unequal in its effect upon the two citizens discriminating against the lat-

The New York decision appears to be sourd. The same reasoning applies pear to have died a bornin

The penalty prescribed he the Hawallar statute is a fine of not less than \$10 ror more than \$100 The law can be tested at any time by a contractor exceeding the eight

hour limit and a prosecution being brought for violation of the statute

## A DECISIVE EPOCH MANIFEST DES

About forty years ago or thereabouts, in advance of Secretary Seward, a gentleman, now resident in Honolulu, was probably the first man publicly to declare that, in the twentieth Century, the Pacific Ocean would be the theatre of the world's greatest commercial and financial progress, in which he predicted the United States would bear the most conspicious part. The accuracy of these prognostications is now generally conceded. At that States into the wide and stagnant areas of Asia, insular or continental. The war with Spain did not appear on the horizon, and the acquisition of the manently retained, was beyond the region of conjecture. There were statesmen and writers, who looked to the ultimate annexation of Hawaii, or the stablishment of a protectorate, as practicable and even desirable, but these speculative basis, and were mainly en-

western shore of the Republic. Territorial expansion and the extension of political systems are not necommerce and finance, to which national boundaries and national institutions, though of importace in matters of detail, interpose very slight obstacles. For the purpose of this article it would be superfluous to discuss the question of the applicability of the American system to the Philippine arthere is no visible sign, the political destiny of Hawaii is determined, and that these islands are the advanced guard of the mightiest of world powers.

tertained for their bearing upon the

The designs of Russia on China therefore, as manifested by its policy in Manchuria and pointed by its recent acts of tergiversation, are of direct, immediate and absorbing, inter-Itself largely of Asiatic, and chiefly of Tartar, extraction, it pursues, remorselessly and with unprincipled astuteness, a consecutive policy that has existed for is the domination of Mongolian Asia and the Pacific.

In the march towards ideals of material, intellectual and moral supremacy, there is a sense in which generaions are of but little import, but there is another sense, in which the determination of a moment may deeply or permanently color the future. Such a moment, though it may be temporariment may be roused to decisive action or persuaded or bullied into torpor. Shall the hoarded wealth of Chna, Corea and other Asiatic territory, inevitably to be swung into the tides of modern advancement, feed the Muscovite or the composite race, of which the United States and the British Empire are the representatives? This is the problem, in the solution of which present movements will be most influ-

The power and statesmanship of Russia are not to be under-estimated. The map of the World on Mercator's Projection, which is most convenient for fication of the Muscovite Empire, from St. Petersburgh to Behring Straits, its southern boundary being coincident with the northern line of China for settle ment of the eastern line of the Empire a dangerous position in the northwestern part of North America, which on all sides was flanked by the United And the seizure or retention of Manchuria would mean the driving of a wedge into the northeastern part of China itself, would give it the mea-s by a few more blows, of breaking its would also enable that power to command the seas adjacent to the easterly coast of China, to Corea and to Japan, and a clear entrance to the North Pacific Ocean.

This a time for breadth, prescience and definiteness, in American statemanship. The nice adjustments of what is termed the "balance of power" in Europe, is only fully understood by students of history, geography and production, and by the chief engineers of governments. A period has now been reached, when comprehensive thought, correct knowledge of details, and positive and firm executive force, must be applied to issues, not identical but similar, in the Orient and in the Pacific Great Britain practically holds the eastern approaches to Asia by way of the Cape of Good Hope and the Isthmus of Suez The United States, which has approximately one-half of the wealth of the globe and by the irresistible trend of events has been forced out of its exclusiveness into intimate and enlarging relations with the great powers, must be equally commanding towards Cape Horn and the Panama

or Nicaragua Canal It must not be forgotten that in the struggle which Russia isolated and medieval is forcing in the East, Japan, formally as respects Great Britain and substantially as respects the United States, has withdrawn from Asiatic gloom and immobility and has constituted itself a sentinel for the advanced nations and for aspiring civilization The United States and Great Britain each discharging its special functions without technical alliance, but standing for the same race, the same language to the Hawaiian law and it would ap- (and mainly analagous systems of law with a resident partner on the scene of material conflict can stay Muscovite aggressaiveness baptize the Orient with financial and commercial freedom restrain the octopus of semi-barbariem within its own limits, until its internal convulsions shall have resulted in comparative liberty and educashin to heights where resolute and unshis were under the eight hour limit polit of progress shall begin to see ক এক

#### LOCAL BREVITIES

(From Wednesday's Daily.)

The Federal court had a blank docket **yesterda**y.

About \$350,000 of fire claims have been paid out of Uncle Sam's million. Williard E. Brown leaves on the Alameda today for the Coast. He expects to be away for several months.

Deputy Collector W. F. Drake of the Internal Revenue office left in the Kinau on an official trip to Hawaii.

F. W. Dohrmann has been elected president of W. W. Dimond & Co., Ltd., succeeding the late W. W. Dimond. The Polo torunament, to have been

held this month, is deferred on account of inability of the Maul team to come. Senator J. T. Brown, one of the most regular in attendance, was compelled by illness to be absent from the Senate yesterday.

About \$5,000 has been disbursed to ebruary and June jurymen by Deputy Clerk George Lucas since the approval of the emergency act.

Altogether the First National Bank has shipped \$680,000 of Hawaiian silver currency under the Redemption Act, \$61,000 of which went forward in the Korea.

Emil A. Berndt has been made manager and treasurer of the W. W. Dimond & Co., Ltd. Mr. Berndt was formerly cashier of the Hawaiian Star Newspaper Association.

Dr. W. E. Taylor has refused to accept the appointment as member of the Board of Pharmacy commissioners, tendered him by Governor Dole. No name is mentioned to fill the Board.

The children of the Sunday School of St. Andrew's Cathedral are invited to a basket picnic, on Saturday, June 6, to be held at Craigside, the residence of Mr. and Mrs. T. Clive Davies, Nuuanue avenue. C. H. W Ahl, administrator of the

estate of Ching Ahi, deceased, left his successor, W. L Whitney, a mixed lot of accounts, but after they were straightened out in court it was found a balance of \$359.22 was due to Ahi. Superintendent Cooper and Deputy Campbell, on their transmontane tr

of Saturday, located the site for a ne bridge at Waikane and of the breal water works in Kaneohe bay. bridge will be wooden, to replace or swept off by flood. Chinese residents have sent protest to Washington against the order t send all of the registration records t

the national capital. They claim tha the great distance will cause hardship to any Chinese who may require the use of their certificates. An assembly of 200 Hawaiians and Portuguese in the Government stable yard yesterday looked like an occasio for reading the riot act. Investigation proved it was only Road Supervisor C

B. Wilson reviewing and reorganizing the free labor road gangs. G. F. Thorndyke, general manage of the Globe Navigation Co., was bound for Manila in the Siberia, and said here that his company had no intention of abandoning their Honolulu-Seattle line Quest was being made for a suitable steamer to put in the service.

Captain Phillips, of the Union Steamship Co., of New Zealand, is going through to England to bring out the new steamer Manuka for that company. It is expected that the company, which has the Canadian-Australian mail contract, will put either the Manuka or her sister ship Moraki in place of the Miowera before long.

(From Thursday's dan

The Horst child, sick at Quarantine Island, is improving steadily. Senators Baldwin, Nakapaahu, Paris and Wilcox were absent from yester-

day's session. An excursion to the volcano is advertised for next Tuesday, going by the Hilo route and returning a week later by the Kona route. Tickets are offered at \$47.50 for all expenses.

The police are looking for the man or men who started to steal the old Queen Emma home. Someone has sawed through a number of koa posts and other woodwork of koa, and carried away the valuable timber.

Latest sugar prices, 3.60.

The Fire Claims Commission is considering questions relative to belated claims.

A new asphalt floor is being put in the patrol wagon shed at the Police Station.

J. J. Byrne has sued the Orpheum company for \$100 on assigned notes to the Metropolitan Meat Co. Creswell P Rooke, heir of the Queen

Emma estate, unwittingly set the police on a hunt for the supposed thief of koa posta in Queen Emma hall, by himself removing the timber to prevent its being stolen.

James Love, spendthrift, petitions for the acceptance of the resignation of G. A. Davis as his trustee, accepting all the latter's accounts, and for the appointment of the Henry Waterhouse Co., Ltd., to the position.

A competitive examination under the Services rules of applicants for the position of weigher at the custom house, Honolulu, will be held at the High School building on July 3 at 9 a m Blanks can be obtained from Collector Stackable.

Hee Chan Sing of Kapas, Kauai, and several Chinese of Honolulu have petitioned to bave Hee Fat of Kapaa declared a bankrupt An act of bankrupics alleged against him is the execution of a mortgage to the Makee Sugar Co to the prejudice of his credltors.

Change of water often brings on diar-For this reason many expersenced travelers carry a bottle of Chamberlain a Colic, Cholera and Diarrhoea Pemedy with them to be used in case of an emergency. This preparation has no equal as a cure for howel complaints. It can not be obtained while on board the cars or steamship and that is where it is most likely to be needed. Buy a bottle before leaving home. All Dealers and Druggists sell it Benson, Smith & Co Agents for Hawaii

Is a discharge from the mucons membrane of the nose, throat, stomach, bowels, etc., when kept in a state of inflammation by an impure condition of the blood and a want of tone in the system.

Soothe the inflamed membrane, strengthen the weakened system and the discharge will stop — to do this purify the blood.

"I was troubled with catarrh for years and tried various remedies but found nothing that would cure me. I then resolved to try Hood's Sersaparilla and took four bottles which entirely cured me. I have never been troubled with catarrh since. As a blood purifier I can find nothing else equal to Hood's Sarsaparilla." WILLIAM SHRBMAN, 1030 6th St., Milwaukee, Wis.

Hood's Sarsaparilla Cures catarrh radically and perma-

nently \_\_ removes its cause and overcomes all its effects. Accept no substitute.

BUSINESS CARDS.

H. HACKFELD & CO., LTD.—General Commission Agents, Queen St., Hone-lulu, H. L

A. SCHAEFER & CO.—Importers and Commission Merchants, Honolu-lu, Hawaiian Islands.

LEWERS & COOKE.—(Robert Lewers, F. J. Lowrey, C. M. Cooke.)—Importers and dealers in lumber and building materials. Office, 414 Fort St.

HONOLULU IRON WORKS CO.—Machinery of every descrition made to

#### HONOLULU STOCK EXCHANGE.

Honolulu, June 4, 1903. HAME OF STOCK | Capital Val Bid Ask.

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SALES BETWEEN BOARDS. 25 Hon. R. T. & L. Co., \$77.50.

TIDES, SUN AND MOON.

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Mon. 8 8 10 2 0 2.29 8 (0 10.22 5 17 6 41 4.25 First Quarter of the Moon on the 2nd. Times of the tide are taken from the United States Coast and Geodetic Survey tables.

The tides at Kahului and Hilo occur about one hour earlier than at Honolulu. Hawaiian standard time is 10 hours 20 minutes slower than Greenwich time, being that of the meridian of 157 degrees 30 minutes. The time whistle blows at 1:30 p. m., which is the same as Greenwich, 0 hours 0 minutes. Sun and moon are for local time for the whole group.

METEOROLOGICAL RECORD.

By the Government Survey, Published

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Barometer corrected to 23 F. and see level, and for standard gravity of Lat. 4L. This correction is 6 for Honolulu.



## MAY STAY

## Leper.

Lepers and their woes occupied a large share of the attention of the Board of Health at yesterday's meeting. Superintendent McVeigh came down from Kalaupapa on the Lehua and was present at the meeting.

#### OLD PEOPLE MAY STAY.

Superintendent McVeigh reported on the efforts being made to rid the settlement of non-leprous persons who have no business there, but upon his recommendation nine couples whose ages range from sixty-five to ninety years will be allowed to remain. The superintendent stated that if these old people are turned out they will have no place to go, unless it be to the Lunalilo Home. He said it would work great hardship to remove them from the settlement, and favored allowing them to remain as long as they lived as only two of them were of any expense to the board, the remaining seven couples being self-supporting. The recommendation of Mr. McVeigh was

#### A DIFFERENT CASE.

Quite a different sort of a case was that of a native woman named Helen Kalawilo who Supt. McVeigh said, had been permitted to go to the set-tlement while Mr. Gibson was president of the Board of Health. He said she had no right to be there, was not a kokua, had no ties of any kind in the settlement, and had been continually bothering the authorities to have herself declared a victim of leprosy. Mr. McVeigh said that he feared that unless she was removed, she might inoculate herself with leprosy germs, so anxious was she not to leave the settlement. The request of the superintendent that the woman's permit be revoked was granted, and she will be compelled to leave the place at once. She is between thirty-five and forty years of age. Mr. Winston called attention to the Lunalilo Home as a place of refuge for the nine old couples, who it had been decided to leave at the settlement. President Cooper said that the trustees were now very strict as to who were permitted in the home, and finally a committee was appointed, consisting of Dr. Cooper and E. C. Winston to ascertain if the old people would be received there.

THE DIVORCE QUESTION.

Mr. McVeigh also, presented a bunch of thirty or forty petitions from lepers who wanted divorces and asked the Attorney General to get them. Mr. Andrews said that he was ready to do all in his power towards relieving conditions at the settlement, but would be handicapped in the next six months through the great amount of work imposed by the county act. With the threatened reduction in the said it would be difficult to attend to all of these cases, but he agreed to file the divorce suits whenever opportunity offered. Another item to be taken into consideration was the costs which had to be paid either by his department or by the Judiclary. Such costs as fees for serving and for stamps had to be paid.

OTHER MATTERS.

Upon the report of Superintendent McVeigh the request of K. John Ahu that he be allowed to remove to Kalawao was denied,

The request of Haumea Kanehe and his wife to have their daughter sent to them from Waimea, Kauai, was denied, and she will be sent to the Kapiolani Home Instead.

The request of two Hawaiian women that their husbands be allowed to come to the settlement as kokuas was not acted upon, and the superintendent will be given a chance to investigate. Mr. McVeigh said that the women were not helpless but that the husband of one of them was reported to be a good plumber, a man whom the settlement needed quite badly.

The request of Miss Jane Trask to have her sister come as a kokua was granted, as the petitioner was report-

ed to be in a helpless condition. Kalaupapa who said she was writing with a penhandle and was almost blind asked that her husband be allowed to come as her kokus. The petition was denied on the statement of the superintendent that she was in the Bishop Home and that her case was a mild

#### WILL SETTLE ON THE BAR DINNER

The executive committee of the Bar Association held a meeting yesterday afternoon and took under consideration many matters as to the future of the body. The new committee appointed by President Smith is as follows: R W Breckons, H. A. Bigelow, A. F. Judd, Frank Andrade and J. W. Cathcart. Among the things discussed was whether or not there shall be a dinner of the Association. Messrs Judd and Herrenway were appointed a committee to take up the matter with various caterer: There will be a meeting of the Association on Monday afternoon, at which time it will be settled ; whether or not there shall be a dinner on June 20 or during the fall, perhaps in October Other matters discussed were relating to the organization in

## OLD FOLKS MARSTUN CAMPBELL

One Woman Insists Maintains That Important Public Works Must A Young Business Man Grows Des-Have Special Supervision and Disclaims Responsibility Not Belonging to Him.

> tendent of Public Works, was asked by an Advertiser reporter yesterday afternoon for whatever reply he might choose to make to the accusations brought against him in the House of Representatives. As he had not yet seen any published reports, Mr. Campbell inquired as to what particular charges were made which called for answer. Upon being told that Representative Vida said he had sent Mr. Gere to Hilo to do work of superintendence which was the Deputy Su-perintendent's own duty, also that the same member and Representatives Kaniho and Kumalae accused him of under-estimating the cost of Nunanu avenue bridge, Mr. Campbell made the following statement:

"It is impossible in the public works for one man to cover the whole country. Take the instances of Hilo mentioned. The water works and the reand storm drainage and Pukihae arch were in hand at the same time. They required the constant attention of one man and I placed Mr. Gere in charge of them.

"Also the Lahaina water works, where a man was put in charge who was thoroughly competent by training and experience to attend to the work. The result is that the water works were constructed in accordance with the plans and specifications and are a complete success, and at a cost for inspection, etc., that is not unreasonable.

"Important public works are often in progress at many different places. Every large undertaking requires that an efficient man be placed in charge of construction, to see that the work is carried out as planned. If Mr. Vida or any other gentleman would take the trouble to investigate the conditions, he could not in his wisdom help agreeing that the course adopted has been in the best interest of the

"With regard to the Nudanu street bridge, I simply decline responsibility Vida, Kumalae and Kaniho to the for such part of that work as was contrary notwithstanding."

Marston Campbell, Deputy Superin- | taken out of my control. I requested the then Superintendent of Public Works to set aside \$10,000 from the appropriation of Roads and Bridges, 4th District, so that work could com-mence upon the construction of a concrete and steel arch bridge across Nuuanu stream, as the old bridge was unsafe for travel. This request was made on May 11, 1901, and it was not until many months after that the work of construction was undertaken.

"The plans and specifications having been prepared by me, the work of construction was taken out of my hands by the then Superintendent of Public Works, and turned over to Mr. C. B. Dwight, road supervisor, to construct by day's work. It has been and is my recommendation that all work of this character be done by contract instead of day's labor. Since work was commenced upon this bridge many additions were made to the original plan, viz., the long retaining wall on the Walkiki-makai side, which was not considered in the original plans, but, however, is an addition that would sooner or later have had to be con-

"The only supervision given to this work by me or any employee in my office was to see that the lines and grades were adhered to. As Mr. Vida knows, having been informed by me, all labor was employed and material purchased by Mr. Dwight and all cost accounts were kept in the road supervisor's office.

"I am ready at all times to take any responsibilities that properly belong to me, but in this case the work was taken out of my hands and against my recommendation that it be my direction and I am willing to take all responsibility for any error or mistakes there may be in them.

"In the light of these facts, I reasonably decline to be held responsible on the score of costs, the Honorables

### THE LEPERS GET AMERICAN GOLD AND SILVER COIN

Good American gold and silver is now circulating at the Leper Settlement instead of the Kalakaua silver which the lepers sometime ago petitioned the Board of Health to redeem before it was forever

Supt. Jack McVeigh has been acting as exchange agent at the settlement, through the medium of the Board of Health store, and now all but about one hundred dollars of the Hawaiian silver has been taken up. Originally there were three thousand dollars of silver in circulation at the settlement-the entire circulating medium of the lepers. When they heard that Congress had passed a law providing for the redemption of the Hawaiian silver, the lepers immediately petitioned to the Board to redeem their money. They said they did not want to be caught at the end of the year with a lot of money on hand that partially, telling him that he had either wasn't of any value except as so much bullion, and didn't want to take the chances of a fifty per cent depreciation.

The Board of Health appreciated the reasonableness of the request, but when it tried to remedy the difficulty a large sized snag appeared in the way. The First National Bank is the agent to redeem the Hawaiian silver, under appointment of the Secretary of the Treas-When President Cecil Brown was requested to send a man to the

settlement in order to redeem the coin he demurred. The First National Bank was, to be sure, the agent to redeem the silver, but could only do so when the Hawaiian money was presented over the counters ter frame of mind than usual, though of the bank in Honolulu. Besides there wasn't any way of paying the he was not aware that, in the meanexpenses of such a trip, the agent was not getting a profit for acting for the national government, and was reimbursed only for the expenses take the stock off his hands. The drugof insurance and freight to the San Francisco mint. Consequently that scheme was reluctantly abandoned.

Next it was suggested that Supt. McVeigh bring the money to Honolulu for the lepers. Mr. McVeigh said he was willing enough to do this but that the lepers were not entirely of a trustful nature, and however much confidence they might have in him, if some of the coin happened to be mutilated or defaced, so as to have depreciated in value, children, sitting moodly through the he would have to suffer that loss, for when his charges gave him meal, and hardly uttering a word. Rismoney to redeem they expected him to bring back the full face value, ing from his chair he went to a trunk This idea was also abandoned, and then Dr. Cooper was delegated to that was standing in the hall way, got call upon Treasurer Kepoikai to furnish \$3,000 for the redemption of this revolver and then went to the both the money at the settlement. He consented and it was the intention pistol was heard and when Mrs. Newof the legislators upon their visit of investigation to take the money, man reached the room she found her along and take in exchange the Hawanan silver. But the legislators | husband upon the floor, with a bullet forgot all about it when the time came, and the lepers were still left hole in his right temple. Dr Herbert with the Hawaiian coin in their hands.

Then Supt. McVeigh acted. As fast as the Hawaiian money was turned in at the Board of Health store at Kaulapapa he stored it away. and when he came to Honolulu brought it with him making a deposit to the credit of the store, and receiving United States coin in exchange. Announcement was made also that the silver would be redeemed at the store even though not in the ordinary course of trade, and the lepers brought in their little stores of money, receiving gold and silver with the American eagle stamped upon it in exchange. The amounts generally ranged from twenty-five to fifty dollars, and now bright new bert silver and gold is in circulation at the settlement instead of the Kalakaua coins, which from long use had been worn almost smooth. Some of the lepers, too, received gold as money for the first time.

Of course all the money as it was taken from the settlement was fumigated and disinfected, just like everything else that leaves Kalaupapa, so there wasn't any danger from contagion when it was finally turned in at the bank. Supt McVeigh said vesterday that all told, there wasn't a hundred dollars of the Kalakaua com still circulating in the settlement, and he expects to bring that balance down upon his next visit to Honolulu

Supt. Mc Veigh has also added to the circulating medium of the said the money was needed for making exact change at the settlement ner they please.

## EDWIN RODMAN NEWMAN HUMPHREYS ANSWERS CRITICS TAKES HIS OWN LIFE

## pondent Over a New Enterprise and Ends it All With a Bullet in the Brain.

Edwin Rodney Newman, a well son who had screamed, according to known pharmacist, shot himself Culman. through the right temple at his residence in the McCully tract yesterday morning, and died an hour later. Financial troubles, attendant upon the proposed opening of his new drug store on Fort and Hotel streets, coupled with the illness of his wife, are reported to have caused the despondency which induced him to commit suicide. One story is to the effect that the workings of the new pharmacy law would have made it impossible for him to get a and fracturing the base of skull and license, but this is denied by local druggists, as well as by some of the friends of the unfortunate man.

Newman had been despondent for the

past few days and his friends found it hard to cheer him up. He was an old resident of Honolulu, but had been away from the islands for nine years, returning only five months ago. He came to start a drug store and wanted the "Kandy Kafe" corner where he once did business, but he failed to get this. Finally the Kerr shoe store corner at Hotel and Fort streets was procured and he started to fit it up. The project appeared to be running along smoothly up to a few days ago when, it seems, as if Newman found that he did not have sufficient money to start the business. He had invested all his savings in the stock, amounting to \$2800, but still required money for performed by contract, and done by furnishing his store room. His wife day's labor under Mr. Dwight. The and two children arrived on the Siberla plans and details were prepared under, on Monday, and Mrs. Newman's illness seemed to have a despondent effect up-

> Wednesday he was particularly dis-heartened. He told some of his friends that he was ready to quit the enterprise entirely and would sell his stock for \$1000, though he had paid \$2800 for it. He made an offer to the Benson, Smith Co., and was told that it would be considered, three firms finally agreed to the local banks offered to loan Mr. Newman what money was needed by the report that Mr. Newman's act was refused the tender, and insisted on sell- been charged that it was aimed directly ing out. No one had any idea, however, at him. "Personally Mr. Newman was thought that he would take a more the same as that in New York and did of his difficulty, with the new phar- year the other houses asked me to not worry him much, as he believed was aimed principally at the Japanese. ever, received a different impression. Then also he had secured the services of a pharmacist from the coast, who could have conducted the store. This had made arrangements to qualify undrug clerk became much disgusted with Newman's fit of "blues" and finally left him on Wednesday. This may have effected Newman to some extent.

Newman's friends did all they could to cheer him up and they succeeded one of two ways out of his difficulty, he could sell his stock, or continue the store with the money the bank had offered him. Newman was a man who was very fond of his family, and their needs was also held out as a reason why he should not give up. He also was figuring on forming a stock company to take over the enterprise, and the papers had already been drawn up for filing. At any rate. Newman left his place Wednesday evening in a bettime, the druggists of the city had held a meeting at which it was agreed to

gists tried to find him and couldn't. THE FATAL ACT.

Newman hardly slept at all Wednesday night, and evidently lay awake brooding over his troubles. He arose at the usual hour in the morning yesterroom A moment later the report d a nothing to aid the injured man, and Newman died in less than an bour without regaining consciousness

THE INQUEST

Deputy Sheriff Chillingworth visited the house immediately after the trageto pass upon the case

There were but two witnesses at the inquest, Henry Culman and Dr. Her-

Culman testified that he lived at the Evans house, that he heard a scream went to see what it was. He saw Mr. Newman Iring down in the bath room, and a revolver at his side. No one was ceased. Mrs. Newman was the per- charged

Dr. Herbert's statement was as follows: "I was called at 7 a. m. this 4th day of June at the old McCully residence, King street, and found the deceased, Mr. Newman, lying on the floor, in the bath room, his feet towards the window and head near the door; breathing with difficulty, and blood flowing from wound in right temple, also through nose and down throat.

"On examination found a bullet wound in right temple, passing through lacerating the brain. The bullet penetrated through temporal bone into opposite (left) side of head.

"He was quite unconscious. wound must have been caused by the impact of a pistol pressed close against the head. He died at 7:45 a. m. Death was due to fracture of the base of the skull, with laceration of brain and hemorrhage, caused by a bullet wound through head as described above."

The coroner's jury which was composed of R. B. Kidd, C J. Day, James Wakefield, C. H. Brown, H. W. Kinney and J. E. Fulierton found "That the said Edwin R. Newman came to his death from injuries to the brain caused by a bullet discharged from a revolver held in the hands of the said Edwin R. Newman, said discharging of said revolver being with suicidal intent,"

#### ABOUT THE PHARMACY LAW.

Concerning the report that Newman's suicide was caused by his belief that the pharmacy law debarred him from business, an intimate friend of Mr. Newman said yesterday: "I don't think that was it. Mr. Newman did mention that yesterday but appeared to have arranged matters so there would be no

"The pharmacy law is the same as that introduced in the legislature five years ago, excepting the one change in buy the stock for \$3000. Finally one of the size of the board," said Mr. Geo. W. Smith when questioned regarding him, some \$1200 on the stock, but New- due to his failure to qualify under the man, against the advice of his friends, new pharmacy law, and that it had that he contemplated suicide, and on friendly terms with me. The law is ties. cheerful view of the situation after a not pass previously because of lack of payment of fees to the guardians ad night's rest. To one friend also, he told understanding of its provisions. This litem of the minor defendants ordered macy law, but this, the friend said, did again have the bill prepared, and it of the question of fees," the court says, that he could pass the examination People who had suffered also by the the absence of statute to allow fees of without any trouble. His lawyer, how- errors of these same careless Japanese this kind, in the nature of counsel fees, made the same request, and the bill was presented to the legislature. Mr. Newman told me on Sunday that he

#### BIOGRAPHICAL.

Edwin Rodney Newman was born in Ithica, New York, thirty-nine years ago. He first came to Honolulu as a naval apothecary on the Vandalia, which was afterwards lost at Samoa. In 1889 he returned here and entered the drug store of Benson & Smith. Two years later he organized the Hobron & Newman Co., with T. W. Hobron, and for many years carried on the drug business at the corner of Fort and King streets. Nine years ago he sold out and went to New York where he was engaged in the drug business for a long time, meeting with financial reverses, it is said. He returned to Honolulu in December with the intention of starting in the drug business. At that time also there was a vacancy in the office of shipping commissioner which Newman hoped to get, having the support of several New York congressmen and other influential men. His failure to get the appointment also preyed upon his mind, as he had expected that office to support him, at least partially, while he was starting his business.

In 1893 Mr Newman was an active member of the Annexation Club. The funeral services will be held today at the residence of W. W. Hall on Nuuanu street, to whose residence the body was removed yesterday.

#### Mother Gulick Badly Hurt.

The numerous friends of "Mother Gulick' will regret to learn that she is entirely superfluous. This step as I was called by a neighbor but could do laid up at her home from a fall which occurred on last Tuesday. While no bores were broken one shoulder and side were hurt and the strain was not- less" urally severe as she is within seven months of her one hundredth birthday dy and then summoned a coroner's jury and fears are entertained that the accident may prove fatal

Jon King, who was found guilty of using bad language, was sent to jail; for ten days by Judge Wilcox yesterwhile there yesterday morning and day Patrolman McCormick, charged should make it " with drunkenness was fined three dollars and costs. Loo Joe, charged with in the bath room other than the de- keeping a gambling house, was dis-

store and spurned the suggestion that it was his intention to hold a follow this settled procedure instead of "marked down" sale at the store. He didn't believe, either, that the experimenting with this statutory aclepers wanted the pennies for the purpose of playing "penny ante" or tion before the title to the land is vestanything of that kind Anyhow the lepers have a job lot of pennics ed in him"

The judgment and order reversed by settlement five thousand pennies, at the request of the lepers. He for the first time and they are welcome to use them in whatever man- the majority were delivered by Judge

## Supreme Court Is Divided Once Again.

By a majority opinion the Supreme Court has reversed the Circuit Court in the action to quiet title of Samuel C. Allen vs. George W. Lucas, Albert H. Lucas, a minor, by his guardian ad litem, J. J. Dunne, and Thos. R. Lucas, Jr., Lydla C. Lucas, Jr., and Norman W. Lucas, minors, by their guardian ad litem, E. M. Watson. Chief Justice Frear writes the opinion, Justice Perry signing it with him. A dissenting opinion is filed by Justice Galbraith. W. A. Whiting Holmes & Stanley and C. F. Clemons conducted the case for plaintiff, and E. M. Watson and J. J. Dunne for defendants. In its opening the opinion thus states the controversy:

"This is a statutory action to quiet title. It is brought by a mortgagee after default of the mortgagors, against certain other persons, who, it is alleged, claim an estate or interest in the mortgaged land. On demurrer, the Circuit Court ordered the complaint dismissed and plaintiff to pay costs including a fee of \$75 to one of the guardians ad litem and of \$50 to the other. to which order the plaintiff excepted and now brings the case here by writ

The principal point raised is that a mortgagee has not such title or interest as to enable him to bring an action of this kind. Two leading theories of mortgages are discussed by the court. One is the common law theory which regards the mortgage as what it purports to be-a deed defeasible upon the performance of a condition subsequent. The title passes to the mortgagee, who is entitled to possession and may recover it in ejectment, in the absence of an agreement to the contrary, even before default by the mortgagor. After default his title becomes absolute at law and the mortgagor cannot even redeem. But equity after some centuries stepped in and permitted the mortgagor to redeem.

The other is the equitable theory, which the court says is mostly of statutory origin. There are no Hawaiian statutes nor Hawaiian judicial precedents requiring its adoption here On the contrary, the precedents, so far as they go, point the other way. There has been no usage here that has gone to the extent of showing that a mortgagee has not sufficient title after default of the mortgagor to enable him to protect himself against third par-

Another question at issue was the against the plaintiff. "As to the merits " a court of law has no authority in against a losing party. Such fees may be allowed as necessary expenses in probate out of the estates of the minors themselves, and in some jurisdictions, under statutes, by the court trying the action, but not by that court in the absence of statute and against the opposite party.

"The writ is allowed, the judgment and order below reversed and the case remanded to the Circuit Court for further proceedings consistent with this opinion."

In the syllabus the law of the case in thus declared:

"A mortgagee has sufficient title or interest after default by the mortgagor to enable him to bring a statutory action to quiet title against third parties, "A court of law cannot, in the absence of statute, allow fees, in the nature of counsel fees, to guardians ad litem to be paid by the opposite par-

Justice Galbraith maintains that the Hawaiian statute is not so broad as the majority states, and that "the general aw requires that the plaintiff in the action to quiet title must hold the legal title " Further along be says; "A good and sufficient reason in law

why a mortgagee cannot, prior to foreclosure and sale, maintain the statutory action to quiet title is that he does not hold the legal title to the land." Regarding law and precedent in Hawaii he says:

"While we have no statute governing this question there is not wanting here judicial development of the law along the lines contended for by the plaintiff; and, it seems to me, that it is only necessar) to advance one more step in order to render a statute on the subject understand it, is taken in the majority opinion, namely, holding in effect that a mortgage conveys to the mortgages the legal title to the mortgaged prem-

He quotes the Hawaiian decisions in Campbell vs. Kamaiopili and Kalkaina-

baole is Allen, and proceeds thus There is a wide difference between 'a seated interest in land' and the legal title to land. The law of this question ought not, in my opin on, to be developed further by judicial decisions. If a statute on the subject is desirable the legislature and not the court

The discenting Justice in conclusion contends that there is a procedure of long usage ample to protect and enforce every right of a mortgagee after default adding 'No estimationy reason is shown why the plaintiff should not

Humphreys before he resigned office.

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whole system through the blood, and throughly eliminates all poisonous matter from the body.

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## THE GIRLS

#### Industrial School (Continued from page 3.) ing each engineer \$150 a month. This passed as amended. Vida moved a new term of Assistant and the page 3. Has at Length Taken Form.

At last something is to be done for the care and reclamation of wayward girls in Honolulu, those without parents or guardians or else only such as are unworthy and incompetent. Long has A. T. Atkinson, Superintendent of Public Instruction, strived to have this lamentable omission in local philanthropy filled. Often Judge Wilcox has sagely and sympathetically expressed from the bench his regret that there was no humane manner of dealing with incorrigible and neglected girls brought before him.

An appropriation to establish a girls' industrial school was voted by the Legislature of 1901, but it never be-The very best Lime and in the came available for the reason that the reformatory for boys could not be vacated for the purpose within the biennial period. Funds were lacking to establish a boys' industrial school in the country, which was the correlative of the scheme on behalf of the girls. Now the boys' establishment is inaugurated at Waialee, on the line of the Oahu railway, the inmates of the old reformatory having been transferred there on May 13. Incidentally it may be said that today there are 69 boys in the institution.

This having been accomplished and an appropriation for the girls' industrial school being available, the renovation of the reform school buildings at Palama for that purpose is now in rapid progress. Yesterday afternoon an Advertiser reporter visited the premises and was shown over them by Miss Rose Davison, school agent for Honolulu, and Mrs. T. H. Gibson, appointed matron of the girls' industrial school at its organization on May 14 by the Board of Education.

The dormitories of the second floor were first inspected. There are two rooms, occupying the greater part of the floor. That in the end next King street is already furnished with 25 iron bedsteads sanitarily painted in white. Mrs. Gibson had kindly made up one of the beds to show its furnishings. These consist of a soft mattress and pillow, upper and under sheets of linen, blanket and white counterpane—the last-mentioned article only to be laid by day as an object lesson in refinement to the girls. The lower part of the walls and window casings are freshly painted in brown, the upper part in light blue and the ceiling in pure white. There are sanitary closets at the rear. Furnishings are on hand for 100 beds in all, the dormitory on the opposite end to that described being larger than the latter. In the front of the second floor is a clothes room, where the clothing of the girls will be locked up nights. They will be allowed only night dress in the domitories.

On the ground floor the dining room occupies the whole depth of the building on the seaward side. Carpenters and painters were at work on floors and stairways upon this floor, where everything will be renovated the same

as upstairs, At the opposite end the schoolroom is situated, the desks formerly used by the boys needing only to be touched up with plane and brush to be pre-

Between the dining and school rooms the hospital is located. It will be all painted in white and made mosquitoproof, and furnished with six beds. In the spacious yard in rear an ron-framed building is being erected, to contain six separate bathrooms with cement floors. The boys had a bathing pool in the open. Part of this building will be used for a clothes-washing room. The girls will have to do their own washing An ironing room will occupy an old building.

The boys' old carpenter shop in rear of the matron's house will be transformed into a sewing room,

A cluster of dilapidated sheds will be pulled down and a nine-foot fence erected about the grounds.

Besides the baths already mentioned two bathrooms with hot and cold water are placed in one end of the kitchen house, adjacent to the residence, for the use of invalld inmates. Like those in the other baths, the tubs are porcelain-lined The kitchen is spaclous and well-fitted with stove and utenalla

Miss Davison was asked about the program of work in the school and replied

"We have not set prepared the program of instruction. It will include hat-weaving sewing, washing, cooking and general house work, with of course primary school tuition.

"We bring the girls here to reform them. Miss Davison added, and if they are to be reformed they must have pleasant surroundings, and be taught to cook and take care of a item passing at \$18 120 nome because they must leave here in time The great object of the school made until the Electric Light pay roll is to prepare them for lives of respectability and usefulness?

there will not be girls to receive the benefits of the school. She gave one Titles. Pall wanted a committee on instance of its timel ness in being opens to Mrs E E Berger manager | not not it and things progressed unof the Assimisted Charities the other Kind ment a hoof come liting ther consecut which resulted his out from the them the Salari a Army had | Tirket keeper at Hone'u u was raised "Ken or of some time but high hom. it so Toler referred the erse to Mice. co Teles reserved to the world farthauful est -

Third State Cark W. P. Maling Agents Canadian-Australian S. S. Line, is laid up with dencue at his home on Kinau street

## PUBLIC WORKS IN HANDS OF GEAR GIVES ENEMIES IN LOWER HOUSE

A MANAGED FOR A

conducive to the best interests of the stance of poor estimating, and said that hour. one official would do the work better.

Harris said no business house would attempt to ask one man to do work equivalent to that of the Public Works department, without competent assistants. The assistant superintendant, he said, was the government's representative on all contracts. Vida in-

terrupted once to say that the assistant superintendant delegated his duty of inspection to underlings. Harris once said that he did not come to the Legislature thinking he knew it all, ready to instruct men who were heads of departments as to their duties, thereby catching another round of sharp colloquays,

Continuing, Mr. Harris, said the \$4,000,000 of work to be done in the next two years under the general appropriation and loan bills made necessary a competent assistant for all such work has to be done with the approval of the Department. He read the organic act as to the duties of the superintendent and said such work made necessary competent assistance to be well done.

SHOULD CUT OUT OFFICIALS. Kumalae, Kaniho and Pulaa made characteristic speeches in opposition, Gandall closing the discussion by saying that he would suggest that the arguments would indicate that the members would like to see all officers wiped out except the Governor and let him run the government.

A motion that the committee rise was lost as was one that the consideration be deferred. The item was then stricken out by 16 ayes to 7 noes. The committee rose and reported progress and the House immediately took a

ONE CLERK IS DROPPED.

Beginning with the chief clerk of the Public Works department, Kaniho moved to cut the salary from \$1,350 to \$1,200. Kaniho argued that the head of the office had been cut and the clerks should have similar treatment. Harris argued that true economy would be to provide good salaries for the better men and cut out superfluous clerks. The item passed as in the bill. For the assistant clerk Kaniho wanted only \$1,000 instead of \$1,~ 050 but the item was carried as in the bill. The third clerk was made inspector of weights and measures and the fourth clerk cut out, the stenographer being cut to \$600. One messenger was cut out, the other items passing until it came to draughtsmen and others, when Kanlho moved to cut it to \$1,250 instead of \$1,500, ailing to accomplish his purpose. All the items for assistant superintendent clerks, \$1,650, were cut out. The Building Inspector was cut out.

NO PURCHASING AGENT. Vida moved for a new item, purchasthe department thought the action advisable. There was a question, it being new legislation, but Vida stuck to the point saying he knew that buggies had been purchased for \$350 when he could buy the same at \$300. Kaniho opposed the plan as he feared such an agent would soon be as bad as those of whom Vida told. Gandall was not quite sure about the matter himself and Vida seeing that there was a

long fight withdrew the item. When the item Pay rolls, roads and bridges, Honolulu, \$10,936.50 was reached Kaniho asked for a special committee which was refused and the item passed as in the bill by 12 to 10. Harris proposed a new item, bookkeeper, road supervisor, \$900, saving there now was such an employee, paid out of the general appropriation for roads and bridges. This seemingly innocent little item caused a long debate, some members urging that if the specific salary was passed the amount should be taken away from the general item just passed, for fear there would be an excess of appropriation Harris explained that it was his intention to ask reconsideration of the road and bridges item. This was done and Harris moved its passage at \$10.-936.50 Kupihea moved reference to a special committee so that wages might pe specified. The item passed at the reduced rate and then the item for pookkeeper road supervisor, at \$900,

Haia wanted a special item for Has a roads and bridges put into the bill but withdrew it.

SPECIAL COMMITTEE TALK. The reading of the garbage service tem brought out Kupihea with a motion for a special committee, but after Harris had moved to amend, that no expense be incurred, he was not so eager and the motion failed, the

From this point rapid progress was was reached and there Aylett suggested a special committee to go over Gandall and Lewis being on the com-Light House keepers pay but he could til the gunpowder and kerosene oil to Miss Folker principal of keeter was teached when there was a t \$10. There was a feet cape the the extremo increased to \$10.

VATER WORKS SALARIES e cest to \$1,200 with high led-

When the item pay of engineers the presisions of this section mas reached Vida suggested and the amount made \$2.700 thus give ed to draw on the Treasury for all ape i

of a strong staff of officials as being new item of Assistant superintendent \$1,200, saying that the official now people. Lewis was in favor of strik. draws his pay from the general exing out, saying the road boards are penses. Then the discussion raged. the superintendents deputies, yet the assistant superintendent is in the level assistant superintendent is a superintendent super habit of going to the districts and do- "Hilo Ricker," Fernandez told of a ing things directly contrary to the broken pipe in front of his house at wishes of the people. He also cited midnight last night, and then some the Nuuanu street bridge as an in-

Finally Vida withdrew the item saying he wanted to reconsider the superintendent's salary, make the clerk the chief and let him hire assistants out of the general flund. The committee rose, however, and the House then adjourned,

#### IN THE SENATE.

At the opening of the Senate a communication from the House of Representatives told of concurrence in the conference report on the House expense bill. Notification was also received from Secretary Carter that the Governor signed the bill.

THE BAND ESTABLISHED. Senator Isenberg presented the fol-

lowing report of the special committee on the band incidentals item: "Military—These items we believe to be necessary and recommend that they pass as in the bill

"Band-We believe that the band should he a Territorial band for the following reasons:

"The members of the band having enlisted in the militia is called up-on by the President of the United States or the Governor of the Territory of Hawaii to perform any duties under the militia law, will be under the direct control of the Governor as commander in chief or such officer as may be indicated by the President of the United States to have charge of such militia; and if the band were a county band under the supervision of county officials there would be a dual authority and perhaps a conflict of orders or instructions. The band receives nothing in the way of remuneration by belonging to the militia except during five days in the year if called upon to participate in an encampment, when they would receive musicians' pay during those five days.

"If the band were ordered to be at inspection, parade, muster or encampment for any term less than five consecutive days its members would receive no remuneration from the United States Government.

"The advice of all representatives of commercial bodies to our citizens, our Chamber of Commerce and Merchants' Exchange, is to make our Islands and cities as attractive as possible to tourists and investors and the comment is always made that the band provides practically the only pleasure and diversion to what would otherwise be a rather monotonous time after the first two or perhaps three days of sight-seeing which indicates to anyone stopping to think over the matter of how best to advertise, that the band is one of our best assets for that purpose.

"Your committee would therefore other islands pass.

The report was adopted, thus incorporating the items in question in

The eighteen months' appropriation bill was resumed on second reading. ST. LOUIS EXPOSITION.

Senator Dickey moved to insert \$30,-000 for the St. Louis Exposition, conditioned that "only such of the same be used as amounts to the unexpended balance of the appropriation for this purpose for the period ending January 1, 1904." Senator Achi feared the condition

would involve changing the title of the bill. He thought they might trust the Government officers to do the right

"I will trust them to expend \$60,-000 if it is appropriated," was Mr. Dickey's comment Senator C Brown gave the opinion

that the title would not be affected. The item was inserted as moved. In the declaratory sections of the bill the amendments proposed by the Judiciary committee were adopted.

STRONG SAFEGUARD.

Senator C. Brown moved to insert a new section, No 6, saying he considered it one of the best amendments proposed at this session. It would preent any official from making contracts without appropriations by the Legislature, and put an end to the bickering over unfinished contracts and unpaid bills in the Legislature. The amendment was adopted, making the sections in question as fol-

HEDGING THE TREASURY.

New section 2 forbids the Auditor to raw a warrant for any of the objects named in the Act except as therein provided, besides expressly prohibiting which would be sufficient to supply the the expenditure of any money to be hereafter accounted for to the Legislature by indemnity bill

Section 3 makes it a misdemeanor, punishable by fine of not less than \$50 nor more than \$500 for an official who ; Miss Davison is not afraid that rates of pay which carried Aylett, shall falsely certify a bill or voucher against any item of the Act.

Section 4 No expenditure of public money for the construction or repair of public works (except street or road work) where the amount to be experded shall amount to five hundred Adlars (\$500) or more or for the to but a mill tested tears of \$300 to \$700. The part of the assistant purchase of material, provisions or other supplies for public purposes amount or in the aggregate to five The street of the moderlapping is the market keeper where har likes hardred deliana (\$10) or more, shall the made except by contract, after pub-No discrissment for mealed tenders; The Water Works Supernitendent's and no public work or the purchase of fir a mission to job a passed at \$170 to an attempt material provisions on supplies for re a mode to increase the fire of the fullic furness shall be so divided or parts it) but so to defeat or exade

Section 5. The Territorial Board of the there be specified three engineers Public Institutions is hereby authoris-

#### For Not Appointing a Successor to W. H. Wright.

In denying the petition for the removal of W. H. Wright as one of the executors of the estate of the late John Wright, Judge Gear stater that at a former hearing he considered that it was his duty to appoint a person in place of W. H. Wright, who, the court found, had abdicated his office and was a fugitive from justice, but that after consideration the court found himself without jurisdiction to appoint an administrator with the will annexed. He found the cases holding that such an administrator could not be

appointed where there was an executor acting. "There are here two executors acting, who are given discusionetaoinshr ing, who are given discretionary powers," the court said in/an oral decision, and either one of them has a right to take any action that all of them would have a right to take.'

While concluding that he had /no right to appoint Fred. Wundenberg in place of the missing executor, the court did not think a sufficient showing was made against his appointment should be provided for properly and and would appoint him if it had the power. Finally he says:

"Where executors are given discretion, and are given property which is in the nature of a trust, and given discretion such as given here, an administrator with the will annexed, if he take the office, could not act with that discretion. Such discretion would not pass to an administrator with the will annexed, but I am convinced in any case that an administrator with the will annexed could not be appointed; I would not have jurisdiction, and the appointment would be void. It is so stated in Williams on Executors. Therefore, the petition will have to be denied on those grounds."

### AFIR EXCHANGE.

A New Back for an Old One How It is Done in Honolulu.

Sometimes the back aches with dull, indescribable feeling, making you weary and restless; sometimes pain shoots across the region of the kidneys, and again the loins are so lame to stoop is agony. No use plastering or rubbing the back in this condition. You cannot reach the cause. To exchange a bad back for a new and stronger one, follow the example of this Honelulu citizen:

Mr. A. J. Cahill, of Fort street, this city, night watchman in the employ of Messra. T. H. Davies & Co., Ltd., says: 'Whilst a young man I was a sailor and at one time worked for the Inter Island service. I was, however, recommend that the items in the bill obliged to give up sea life on account together with an item of \$8,000 for the of severe suffering from my back and ing agent, \$1,050, and explained, that traveling expenses of the band to the kidneys. For this I had tried various remedies, but the one which restored me to health was Doan's Backache Kidney Pills-procured at Hollister's Drug Store. They relieved me completely after years of suffering. If any one desires further particulars he may apply to me. I am to be found at Van Dorn's Ship Chandlery, Fort street."

You should get the same medicine which helped Mr. Cahill. See that the full name DOAN'S BACKACHE KID-NEY PILLS is on the wrapper and refuse any imitation.

Doan's Backache Kidney Pills are sold by all chemists and storekeepers at 50 cents per box, six boxes \$2.50, er will be mailed on receipt of price by the Hollister Drug Co., Honolulu, wholesale agents for the Hawaiian Islands.

• • • • • • • • • • • • • • • • • • propriations in this Act contained, providing for current expenses and relative to the management of all institutions and matters which are placed under its control by Chapter 64 of Act 31 of the Session Laws of 1903

Section 6. All agreements or contracts made and entered into by any officer or employe of the Territory of Hawaii, by or under which public money is to be expended, shall be void and of no effect unless there shall be at the time such agreement or contract is made or entered into, a balance in the fund or appropriation already made for such purposes sufficient to cover the amount involved in such contract or agreement.

THIRD READING FRIDAY. The bill passed second reading, to

be read a third time on Friday. Senator Achi moved the bill be printed Senator McCandless did not see the use Senator C Brown said it would cost but \$20 for 100 copies, House of Representatives with copies. The motion carried

At 10 35 the Senate adjourned until Friday morning

Sprains are often more serious than broken bones on account of not being properly treated. Apply Chamberlain's Pain Baim freely as soon as the injury is received and it will quickly restore the parts to a healthy condition. All Dealers and Druggiets sell it Benson Smith & Co. Agents for Hawsii



### All Run Down

When your vitality is low, you are miserable all the time. Your nerves are weak and your appetite is poor. You have no ambition, and you are languid and depressed all the time.



What you need is a good strong tonic, a described by Mrs. H. Anstin, of Wellington New Zealand. She sends her photograph and

I was so weak and tired all the time that I could not sleep at night. Or, if I did sleep, I was as tired in the morning as when I went to bed. I was all run down. I then tried Ayer's Sarsaparilla. After taking two bottles I found myself greatly improved, and soon I was completely restored to health. I think it is a great family medicine."

## **AYER'S**

There are many imitation "Sarsaparilles." Be sure you get Ayer's.

You will improve faster by using Ayer's Pills with the Sarsaparilla. Take just enough each night to have one good, free movement of the bowels the day following.

Prepared by Dr. J. C. Ayer & Co., Lowell, Mass., U.S.A.

HOLLISTER DRUG CO., Agenta.

THE FIRST American Savings & Trust Co. OF HAWAII, LTD.

Capital, \$250,000.00.

President ...... Cecli Brown Principal Office: Corner Fort and King streets.

SAVINGS DEPOSITS received and interest allowed for yearly deposits at the rate of 4% per cent per annum. Rules and regulations furnished upon

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Pure Drugs Chemicals

TOILET ARTICLES and the choicest

PERFUMERIES

At Reasonable Prices, Call and Convince Yourself.

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Fort Street.

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FOOHNG SURY Sailing from

NEW YORK to HONOLULU On or about July 15, FREIGHT TAKEN AT LOWEST BATES. For freight rates apply to CHAS. BREWER & CO. 27 Kilby St., Boston, ob C. BREWER & CO., LIMITED, HONOLULU.

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RAPID TRANSIT ELECTRIC CARS airrive at, and depart from, the main entrance to the Moana Hotel every ten minutes.

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The undersigned having been appointed agents of the above company are prepared to insure risks against fire on Stone and Brick Buildings and on Merchandise stored therein on the most favorable terms. For particulars apply at the office of F. A. SCHAEFER & CO., Agts.

German Lloyd Marine Insur'ee Ce OF BERLIN.

Fortuna General Insurance Co OF BERLIN.

The above Insurance Companies have established a general agency here, and the undersigned, general agents, are authorized to take risks against the dangers of the seat at the most reasonable rates and on the most favorable

F. A. SCHAEFER & CO., General Agents.

#### General Insurance Co. for Ses River and Land Transport. of Dresden.

Having established an agency at Honolulu and the Hawaiian Islands, the undersigned general agents are authorized to take risks against the dangers of the sea at the most reasonable rates and on the most favorable terms. F. A. SCHAEFER & CC.,

Agents for the Hawalian Islands.

#### YOUR SUGAR CRUP

Depends on the right quantity and quality of Ammoniates it has to feed upon, Nitrogen (Ammonia) being the principal material removed from the soil by sugar cane.

A few dollars' worth of

#### NITRATE OF SODA

(The Standard Ammoniate)

fed to each acre of growing cane will give surprising re-

Planters should read our Bulletins giving results of Agricultural Experiment Station trials. They are sent free. Send name on Post Card.

WILLIAM S. MYERS, Director. 12-16 John St., New York,

#### Worms Spin Dyed Silk.

Without the use of the dyeing vat two ingenious Frenchmen' have produced colored silks in a manner to astonish and amuse scientists. Mm. Conte and Levrat, two distinguished investigators, are responsible for the announcement that silks can be tinted at will by merely placing certain pigments on the branches of trees where the silkworms are accustomed to feed. They point to actual cocoons of several distinct hues as proof of the statement that they have succeeded in accomplishing that which their theories pro-

a visit to the summit of Haleakala and a horseback ride through Iao Valley. Mr. Richard H. Trent will be one of the party, and he contemplates perfecting arrangements that will make the Haleakala trip an easy and comfortable one.

#### BETTER LATE THAN

never. The Wise Man says there comes a time in men's lives when they are "afraid of that which is high; when fears are in the way; when desire fails and the grass-hopper is a burden." In these days we call it nervous prostration; but it is the same old thing and is brought about in the identical way so popular with Solomon himself. The nerves collapse and the man's force and fire die out of him. It is nature's punishment for the sin of excess—and all sorts of "overdo-ing it." With the majority this state of things is not constitutional and may be corrected. Even in old men, when it has taken the form of general de-bility, a revival of the powers is virtually certain so long as there is no breakdown of any important organ. The grasshopper soon ceases to be a burden and ghosts resolve into gas, with those who rely on that popular purifier and restorative WAMPOLE'S PREPARATION As a tonic and builder this article is easily superior to any other. It promotes the rapid and complete digestion of food and thus enriches the blood, and so feeds and invigorates the nerves and all parts of the body; the impurities are thrown out through the Lungs, the Bowels, the Kidneys and the Skin-these four outlet doors and health returns. It is palatable as honey and contains all the nutritive and curative properties of Pure Cod Liver Oil, extracted by us from fresh cod livers, combined with the Compound Syrap of Hypophosphites and the Extracts of Malt and Wild Cherry. It is no patent medicine as formula is printed on bottle: you need have no hesitation in buying it and trusting to it. It is effective from the first dose, "There will be no disappointment." Sold by all chemists here and throughout the world.

### Sumburg-Bremen Fire Insurance & BERREY'S COMMERCIAL REPORT

Berrey's financial report for the last fortnight of May is a follows:

Business brightened up considerably during the last week of May and there is a more hopeful tone in commercial circles from the bottom to the top. This is perhaps due more to the healing virtue of time than to any recent occurrence, though the payment of the fire claims and of a number of sugar plantation dividends is certainly of material assistance. So far about a quarter of a million dollars has been paid to fire claimants and the line will be in evidence at the Firts National Bank for several weeks yet. It is pretty well settled now that the bonds, amounting to such a considerable proportion of the whole of the gift from Congress, will be handled locally, with doubtless a good deal of the money to come from the Mainland. The Senate of the Legislature in special session has voted a respectable monetary reward to Mr. J. G. Pratt the man who secured the fire claims appropriation at the hands of Congress. The House, for political reasons, has once refused to recognize the services of Mr. Pratt, but this verdict may be reconsidered. Speaker Beckley, who is one of the best-balanced and most reasonable of legislators, surprised the business community by taking the floor and arguing that Mr. Pratt should not be compensated for the record he made, on the ground that Delegate Wilcox should have been entrusted with the business. It is but fair to declare that no man other than Mr. Pratt could have secured this appropriation at \$36.00; Bacon, 20c. per lb.; Wheat Hay, Washington and that, no matter how willing Mr. Wilcox was, his \$26.00; Corn, \$38.00 to \$45.00; Cr. Corn, efforts would have been without avail, owing to his illness and to \$39.00; Wheat, \$38.00 to \$40.00. his lack of acquaintance at Washington. The interests of Mr. Pratt and Middlings are almost unprecedentbefore the Legislature are being looked after by the Chamber of ed. Lowest quotations being Bran \$25 Commerce and the Merchants' Association. The latter body, by and Middlings \$29 to \$30 f. o. b. San the way has just had the pleasure of another visit from Mr. Dohr- Francisco. the way, has just had the pleasure of another visit from Mr. Dohrmann, of San Francisco, who is really the father of the Association here, being one of the moving spirits in a similar organization at the Coast metropolis. Mr. Dohrmann addressed the Association one day last week and gave it valuable counsel.

The stock market is still extremely quiet and there is practically nothing doing in real estate. The share dealers say that they hope for activity as the year grows on. Very few orders are coming from the Mainland. It is believed that the extension of the Rapid Transit line to Kaimuki, which will go ahead without delay, will be the cause of the transfer of lots and some building in that healthful section. The Rapid Transit Company recently declared a dividend of six per cent on its preferred stock.

It is said that there is a hitch in the sale by the receiver of the Kona plantation. The affairs of this rather unfortunate estate attract very little attenion. Mr. Shingle, the field man of the Waterhouse Trust Company, has gone to the Island of Hawaii again. It was he who bid in Kona at the auction. The understanding is that Mr. Shingle has traveled over to straighten out the deal if possible and, further, that while in the vicinity the young man will Shin King. Summary call upon the redoubtable Col. Norris and use his best endeavors to get the famous Kahuku ranch into the market again. As Mr. Shingle is an unusually suave manipulator, he may succeed in this mission. It was announced only ten days ago that Col. Norris had declared most emphatically that he would entertain no offers for his estate. The Kahuku ranch is of something over 200,000 acres and has much arable land as well as magnificent stock range. A pretty basaki, deft; S. Ozaki, garnishee. Asst. fight is in progress in this island between "Jack" Dowsett and Judgment for pitff., \$130.89.
"Link" McCandless for a big tract of grazing land in the Waialua

W. S. Noblitt vs. Peter R section. They are the chief bidders for a large acreage hitherto thought to be "waste" land, but now esteemed at a fine rate per acre. Governor Dole intervened in the contest and there will be an auction sale in a few weeks.

The late S. C. Allen left an estate which schedules more than \$2,000,000. He was worth probably a million more than this. The property is to be handled by a trust.

Mr. J. R. Galt, for the bond trustees, has issued a report on the present condition of Waialua plantation. The statement is one that has raised the hopes of the stockholders. Waialua is to use oil for fuel and it is estimated that the saving in this department will for pits., \$118.36. be thirty per cent. At Ookala a brave fight is being made against the cane hopper. The devastating insect has shown up on one other estate in the neighborhood. A natural enemy for the pest is being sought. In the magnitude the dependence for leasening of the Ter. of Hawaii, garnishee. Asst. Judgment for pltff., \$36.50. A party of Honolulans will go to being sought. In the meantime, the dependence for lessening of the ravages is almost solely on rain. The planters feel rather in- Harbottle, deft., Auditor of Ter. of Hasured against insect pests or damages to any great or general extent wall, garnishee. Asst. Judgment for pltff., \$82.42. so long as the eminent Prof. Koebele remains in service as entoso long as the eminent Prof. Roebele remains in service as ento- W. S. Noblitt vs. Sol. Oopa, deft., mologist. The lantana blight which was planted in Nuuanu val- Lye Chong, garnishee. Asst. Judgley was less than one week in reaching Diamond Head.

Papers transferring the Hayselden interest in the Island of Lanai stock farm have been filed for record. The price given is \$60,000. Property included is 12,000 acres of grazing land in fee simple and 2,500 acres under rental, with a large flock of sheep and a few cattle and horses.

The Rapid Transit Company has about completed the construction of its line down Emma and Alakea streets to the fish market. The company is now using oil for fuel. All interested are well satisfied with the change. A huge electric power plant with water rustic and shingle, lot No. 10, mauka for generation has been installed by the Pioneer Mill Plantation side of King St., No. 1646 Pawaa tract. Company, near Lahaina, Maui. Business is better with the Honolulu Iron Works here again. Nine-roller mills, of the Ewa type, are being built for Kahuku and Paahau Plantations. E. Faxon Bishop, of Brewer & Co., is defendant in a suit for \$113,000, charged | WILL PUT TAX ON with violating the immigration laws by bringing 113 Koreans into the country under contract. It is learned that the transaction was investigated by Commissioner Sargent during the recent visit of the high official to Honolulu and the decision reached that there had been no violation of the statute. The law under which Mr. ranks of resident agents for Ameri-Bishop is cited to answer before Judge Estee is a most unusual can business houses, over the bill enactment of Congress in that it provides the whole of the penalty which was passed by the Legislature time after the collectors get to work. incurred shall go to the informers. The latter in the local case are making it possible to reach foreign they enter the affair purely from speculative motives. The owners ritory with tax and license laws. of the Kapiolani Estate new building are moving into it. The The bill which is expected to effect himself being the third committee nan. Hawaiian News Company will be in the paper business on a con- this addition to the license valuations, J. A. McCandless was designated as from the Zellerbach's, of San Francisco. There are rumors of fur- and puts it on the same footing with it was reported that some of the alther consolidation in the vehicle business. The extra session of the the Pennsylvania law, which has re- geroba trees had been blown down. Legislature, like the regular session, is proving very unsatisfactory cently been upheld by the Supratoe and a source of some revenue lies in to the people. The expenses are very heavy and the resultant Court of the United States. This new the sale of the wood, which will be Leong Hong. beneficial laws few indeed. The extra session will last till the law provides for the licensing of formiddle of this month. The most lively business just at present is eign corporations doing business withSeveral subscription lists have been the opening of beer saloons under the provisions of the new license in the territory, upon the regiment of received by the treasurer, showing the law. These establishments are looming up in many different locali- size and a tax of one-fourth of one following amounts collected ties in the town. The chef for the Alexander Young hotel has mill upon the capital stock of the corarrived. He was once with the Baldwin at San Francisco and has poration. opened up a number of hotels on the Coast.

The mortgage indebtedness has increased since our last report, the office business law, and is meant, the seven men mentioned by General, other with large drums made of bam-

The following instruments have been filed during the past do not place an agency with a local participating in the Philippine cam- animal is stretched. The drum, how-

fortnight:

Deeds	7.25 Declaration 1
Mortgages27 82,44	8 90 Acknowledgment I
Chattel Mortgages 2 14.50	
Release 19 \$9,13	0.90   Consent
Lease	Release D \$
Arg't of Mtg F	SALES FROM THE HONOLUL
Ass't of Leare 4	STOCK EXCHANGE.
Ass't of Fire Claim 1	### ### ### ### ### ### ### ### ### ##
Foreclosure Affidavit 1	DINTDENDS.
Afficavit and Map I	C Brewer & Co 1 per cer
Exchange Deed 1	Ewa Plantation
Decree of Adoption I	Honomu i per cet

-	
	Onomea (8. F. June 5)
	SALES FROM THE SAN FRANCIS- CO STOCK EXCHANGE, AS PER A. W. BLOW & CO.'S STOCK RE- PORT FROM MAY A TO MAY I

INCLUSIVE.

PORT, FROM MAY 4 TO MAY 16,

785	Hawn, Coml. & Sug. Co at \$45.75
10,	Hawn. Coml. & Sug. Coat 47.60 Hawn. Coml. & Sug. Coat 47.50
<b>′ 10</b>	Hawn, Coml. & Sug. Co at 47.50
10	Hawn, Coml. & Sug. Co at 48.00
25	Hawn, Coml. & Sug. Co at 48.50
25	Makaweliat 27.25
20	Makaweliat 27.00
65	Paauhauat 17.75
25	Paauhauat 17.62 1-2
100	Paauhauat 17.50
50	Paauhauat 17.37 1-2
135	Hutchingon S. P. Coat 15.50
125	Hutchinson S. P. Coat 15.12 1-2
175	Hutchinson S. P. Coat 15.12
5	Hutchinson S. P. Coat 15.75
10	Hutchinson S. P. Coat 15.75
10	Kilaueaat 7.00
20	Honokaaat 13.75
95	Honokaa
40	Honokaaat 14.66
	Hana Pltn. Coat 4.00
LO	CAL PRICE LIST OF PROVI-
	SIONS AND FEED.

Bran, \$25.00, \$30.00 to \$31.00; Flour, \$5.00; R. Barley, \$31.00; Oats, \$32.00 to

EXCHANGE.

Following are the current rates of exchange to countries named - Gold Basis: Pacific Coast, 30c, per \$100; \$50 or less, 15c.; cable transfers, 45c. per \$100. Atlantic Coast and Canada, 50c. per \$100, \$50 or less-25c.; cable transfers, 65c per \$100.

Frankfort, Germany, 24 1-4 per Mark. Auckland and Sydney, \$4.91.

Hongkong, 41 7-8 per Mexican dollar. Amoy, Singapore and Shanghai, 44 -4 per Mexican dollar. Manila and Iloilo, 43 1-4 per Mexican

Yokohama, 50 1-8 per Jap Yen. Hlogo, Kobe, Nagasaki, 50 1-8, London, sight purchasing, \$4.90. London, 60 days, \$4.87,

JUDGMENTS RENDERED IN DIS-TRICT COURT. Maleka and W. K. Nahalau vs. Wong

Judgment for deft, \$5.90. Yee En Kee vs. Mrs. E. A. Langton.

Asst. Judgment for pltff., \$76.35.

Won Gay et al, doing business as Won & Loui Co., vs. Lau Wai et al., doing business as Sun Lock Co. Asst. Judgment for pltff. \$273.92.

W. S. Noblitt vs. Peter Kanae, deft, Pacific Hardware Co., Ltd., garnishee, Asst. Judgment for pltff., \$20.56. E. T. Winant vs. Peter Berg, deft., Moana Hotel Co., Ltd., garnishee. Asst. Judgment for pitff., \$102.75. Hoo He vs. Mow Fook Chong. Asst. Judgment for pitff., \$216.05.

H. G. Middleditch vs. Isaac Harbottle et al, defts., Auditor of Ter. of Hawail, garnishee. Asst. Judgment for pltff., \$319.40. Kawamura vs. K. Yoshigahara, deft.

S. Ozaki, garnishee. Asst. Judgment

ment for pltff., \$15.84.

BUILDING PERMITS. C. G. Ballentyne; store house; 1-story stone; Alapai St., near Beretania. J. T. Crawley; stables; 1-story wood and iron; Iwilei lot of Sanitary Steam

J. T. Crawley; store house; 1-story wood and iron; Iwilei lot of Hawn, Fertilizer Co. W. M. Campbell; cottage; 1-story

Jas. H. Craig; residence; 1-story rustle; Judd St., near Lillha.

## OFFICE BUSINESS

This law is called in some states | A-thur H. Leuthold, who was one of that the goods are shipped from the O there, so that all profits accrue in the mainland. This will affect some of the interest of San Francisco houses, but it Whistling Language of Malabar. is said will not touch those establiushpents which have regular agencies

ent Smith & Co., Agents for Hawaii.

## SPRING HUMOURS

## Complete External and Internal Treatment



Consisting of CUTICURA SOAP, to cleanse the skin of crusts and scales and soften the thickened cuticle, CUTI-CURA OINTMENT, to instantly allay itching, irritation, and inflammation and soothe and heal, and CUTICURA RESOLVENT, to cool and cleanse the blood. A SINGLE SET is often sufficient to cure the most torturing disfiguring skin, scalp, and blood humours, rashes, itchings, and irritations, with loss of hair, when the best physicians, and all other remedies fail.

Sold throughout the world. Aust. Depot: R. Towns & Co., Sydney, C. S. W. So. African Depot: LEBHON LTD., Cape Town, Durborn and Port Elizabeth. Porten Davo And Chem. Corr., Sole Props., Scatten, U. S. A. "How to Cure Spring Humourt," post free.





## **PRIMO** LAGER

ALL DEALERS SELL IT.

## TO COLLECT PARK FUND

The McKinley Grounds To Be Put In Shape.

Collectors will at once get to work upon the getting together of the funds which have been subscribed for the completion of McKinley Park. The committee, at a meeting held at the Bank of Hawaii, yesterday afternoon, D. A. Jamieson ...... 300 heard the report of Treasurer C. M. Fred S. Armstrong ....... 5.00 be taken at once for the collection and investment of the fund.

The cash on hand at the present A. H. Sengstack ...... 2.50 time amounts to something like \$2,200. A. W. Wise ...... 2.50 and the subscriptions uncollected are in the region of \$5,000. This amount W. O. Aiken ...... 2.50 is ready for investment, and the committee voted that steps should be taken to get the money into the treasury W. S. Nicoli........... 2.00 immediately. It is not thought that John J. Hair ...... 2.00 there will be any difficulty in securing C. E. Haynes ...... 2.00 there will be the full amount in the hands of the treasurer within a week's this fund, Messra. Cooke and Schalfer,

#### One of Function's Beross

to reach outside corporations which Finaton for conspicuous bravery while boo hoops, over which the skin of some house but which maintain an agent paign, has just died of typhoid fever at ever, is used only on important occaand escape taxation on the ground the home of his parents in Ragersville, mainland and the accounts collected to General Function's call for volunteers to amim a river under fire of the na-

The aborigines of the Malabar islands employ a perfect whistling language by Chamberlain's Pain Baim has no means of which they can communicate qual as a household liniment. It is with each other over long distances. A the best known remedy for rheuma-jetranger wandering over the Islands is tism lame back, quinsy and glandular frequently surprised to hear from a Brokers in Sugar, Coffee, Spices, Cocos, swellings, while for sprains, bruises, hilltop the sound of loud whistling, Cocoa Butter, Etc. burns and acaids it is invaluable. One which is quickly repeated on the next? ent application gives relief. Try it. All hill, and so is carried from summit to Dealers and Druggists sell it. Benson, summit until it dies away in the distance. But perhaps the most curious porter."



We, the undersigned, give the amount opposite our names to the McKinley Memorial Fund:

PAIA, MAUI.

D. C. Lindsay ...... \$ 5.00 R. O. Hogg ..... 5.00 D. W. Driscoll ..... 5,00 Wm. Moznett . . . . . . . . . . 2.50 H. P. Robinson..... 2.50 J. Robertson . . . . . . . . . . . . . . . 3.00 Clara Mosser . . . . . . . . . . . . . . . . 3.00 HAMAKUAPOKO, MAUI.

Edwin A. Wilson ...... 2.50 Geo. H. Baldwin ...... 2.00 H. A. Baldwin ..... 2.50 MAKAWAO, MAUI. L. von Tempsky ...... 2.50

MAKENA P. O., MAUI.

Mrs. J. Kapoha ......50 - WAIAKOA, MAUI.

C E. Copeland ..... Kealahou School, Room No 1..... Kealahou School, Room No 2. . Kealahou School, Room No 3

W E Beckwith .... means of communication in the world is the drum language of a Kongo tribe

## Smith & Schipper

138 Front Street, New York

General Commission Merchants and

Newspaper**hrchi**VE®



ARRIVED

Tuesday, June 2. Stmr. Moana, Carey, from Suva, Bris-Sane and Sydney, at noon.

Wednesday, June 3. S. S. Nevadan, Weedon, from Kahului, at 6 a. m.

Stmr. Kauai, Bruhn, from Kauai ports, at 6:50 a. m., with 3,600 bags sugar, 22 sacks bottles, 2 rollers, 81 pkgs.

Am. schr. David Evans, Holmstrom, at days from Newcastle, at noon. Stmr. Lehus, Naopala, from Kaunakakai and Molokai ports, at 5 a. m.,

with 249 sheep, 100 bags taro. Schr. Ka Moi, from Paauilo, Hawaii. Schr. C. L. Woodbury, from Hilo.

DEPARTED.

Tuesday, June 2. Stmr. Korea, Seabury, for San Franeisco, at 5 p. m.

Stmr. Kinau, Freeman, for Hilo and way ports, at noon, Stmr. Claudine, Parker, for Maui ports, at 5 p. m.

Stmr. Mikahala, Gregory, for Kaual ports, at 5 p. m. Stmr. Noeau, Pederson, for Lahaina,

Kaanapali Honokaa and Kukuihaele, at 5 p. m. Gaso, schr. Eclipse, Townsend, for Maul ports, at 5 p. m.

Stmr. Moana, Carey, for Victoria and Vancouver, at 5 p. m. Wednesday, June 3. S. S. Alameda, Dowdell, for San

Francisco, at 11 a. m. Schr. Kawailani, Ulunahele, for Koo-

Bar ports, at 8:30 a. m. Schr. Kauikeaouli, for Paaullo, at 4

Simr. Lehua, Naopala, for Molokai, Maui and Lanai ports, at 5 p. m. S. S. Oregonian, Carty, for Kahulul, at 5 p. m.

Gaso, schr. Eclipse, Townsend, for Maul ports. Am. ship Servia, Nelson, for San Francisco, at 2 p. m.

Thursday, June 4. Stmr. Waialeale, Mosher, for Koloa and Hanamaulu, at 5 p. m.

Stmr. Kauai, Bruhn, for Kauai ports, at 5 p. m.

#### PASSENGERS.

Per stmr. Lehua, June 3, from Mobokai ports.-Mrs. McCorriston, John McVeigh and 6 deck.

Per stmr. Kauai, June 3, from Kauai ports.—Fred Goudie, Mrs. M. Grenland and child, T. R. Robinson, E. T. Tannatt, A. C. Alexander, Mrs. H. Pha, W. Jencke, H. Loo Kong, Miss A. Andermann, Mrs. W. O. Smith and child, Master Fred Smith, Master Willie Smith, Sing Kee, C. Chong Hing, Mrs. Kam Sing and 28 deck. Departed.

Per stmr. Nocau, for Hamakua, June rived yesterday morning from island

Per stmr. Kinau, for Hilo, June 2.— The Fearless towed the ship Servia M. Lorenz, C. P. Benton, Mrs. L. E. to sea yesterday. She is bound for San Arneud and child, H. A. Isenberg, Ed- Francisco, die Campbell, Miss Lewis, Miss E. The bare Lewis, Harry K. Brown, Mrs. J. T. Newcastle on May 15 to load coal for Brown, J. T. Brown, Jr., Prof. Curtis Honolulu. J. Lyons, G. Ross, H. Roehrig, C. Lyman, A. Lyman, K. Lee Loy, Jr.; for from Newcastle with a cargo of coal the Volcano: W. H. Bain, James Denfor W. G. Irwin & Co. French, Mrs. Major Harris, Look Chan, Chang Kim. W. T. Rawlins, Miss R. nel, Chile, on Sunday the 23d. Miller, W. L. Stanley; for Makena Miss T. Burns, Miss L. Burns, Master report that the China is to be put on W. Burns, Genevieve Dowsett, Miss V. the Honolulu-San Francisco run. Horner's two children, Mrs. A. Horner,

Per stmr. Claudine, for Kahului, June 2.-W. E. Bal and daughter, Miss C. were sighted off Diamond Head at ten Kauka, Mrs. P. Cockett and son, Mas- o'clock last evening. ter A. Robinson, Master F. Robinson, Genevieve Young, Harold Young, Miss tons of sugar at Kahului. Kempstead, Harriet Young, Alfred Young, Mrs. W. G. Scott, Miss Freitas, H. P. Baldwin, Mrs. C. Gomes, Mrs. M. sugar yesterday. P. Gomes, Miss M. Gomes, G. H. Baldwin, J. H. Foss, M. V. Silva; for Keafor Hana; F. Garcia, Mrs. Pahala, Miss Nani Haia, Frank Mackenzie, Miss A. Reuter, Kaohu Mackenzie, Harry Dunn, Eugene Dunn, David Desha; for Lahaina: Arnold Richardson, Alexander Richardson, Mary K. Keanae, Miss Roback, Chas. Wilcox, Mrs. Ida Dean, C. W. Ashford, A. G. Correa, A. S. Ahlo, H. L. Hudson, J. Trueman,

Per stmr. Mikahala, June 2, for Kauai ports.-A. S. Wilrox and family, Eliza Kahele, Master Sakimo, Rev. S. Kaili, Miss A. Lovell, M. M. O'Shaughnnesy, G. H. Fairchild, Daisy Sheldon, W. H. Rice and family, A. Hanneberg, G. H. Evans, Mrs. Blake and two children, M. Kausi, N. Kamoto, A. Hawaii left Eleele Monday, June 1. R. F. Yap, E. J. Walker, Mrs. K. Bennett, G. N. Wilcox, Mrs. Kamakea, Ensign Winter.

Per stmr. Lehua, June 3, for Lahaina: A. Y. Shaw; for Pukeer Mrs. J. F. Brown; for Kaunakakal: E. Wagner and wife.

Per stmr. Kaual, for Kaual and Nilhau ports, June 4.-A. McBryde, R. Cat- F. J. Turk has formed a partnership ton, Rose Akeau, M. Kauhane, Rose Aka, Miss Kapuini, Agnes Kalaunola, engage in business as a shipping mas-Mr. Nunakami, A. Kawamoto, James Alexander, L. H. Bucker.

DUE TODAY. Stmr. W. G. Hall, from Kona and Mani ports.

The Oceanic steamer Ventura was scheduled to sail from San Prancisco yesterday. As no cable advices to the contrary were received by the local agents she is presumed to have sailed. !

# THE OLD RELIABLE

Absolutely Purs THERE IS NO SUBSTITUTE

#### BRITISH CABLE SEEKS BUSINESS

The new "All Red" British Cable is trying its best to get an increase of business sufficient to put the cable on a paying basis. A Melbourne dispatch published in an Australian pa-

Considerable success has already attended the efforts made by the Pacific cable authorities to obtain fresh business in New Zealand. It was recently resolved to take a page out of the Eastern Extension Company's books as far as New Zealand was concerned, and to canvass for business amongst the public. A telegram received to day by the Postmaster-General from the head office of the Pacific cable at Southport, Queensland, conveyed the satisfactory news that since the services of canvassers had been obtained business had largely increased. Certain figures were added which were not intelligible to the officials at the Central Postal Bureau. Senator Drake has now under consideration the advisability of allowing cable customers to open deposit accounts with the Telegraph Office, this being a practice of the Eastern Extension Company which finds much favour with the public. The Postmaster-General, while determined to afford every assistance to system which is partly owned by the Commonwealth, in the somewhat anomalous position that he is debarred from allowing his officials to cater for business, as if he did so the Eastern Extension Company could object that the Commonwealth was infringing upon the privileges of that corporation. There is nothing in the cable agreement to prevent the Pacific cable authorities themselves resorting to any legitimate means to secure business. Should they find it advisable to have premises of their

#### Shipping Notes.

own, and also to have private inter-

state telegraph wires, the Common-

wealth would probably raise no ob-

(From Thursday's daily.) The Kauai, Lehua and Waialeale ar-

ports.

The barque West York arrived at

man. J. B. Lewis; for Lahaina: Mrs. for W. G. Irwin & Co. O'Shaughnessy; for Maalaea: Mrs. Col. The steamer Minnetonka from New

York is reported to have reached Coro-The local agents deny the rumored

Makee, Dr. J. H. Raymond, wife, child, On May 15th the four-masted schoonand maid; for Kawaihae: A. C. Love- er S. T. Alexander cleared at Newcaskin, A. B. Lindsay, wife and three tle for Honolulu with 1147 tons of coal. children, Earl Williams, Charles Wil- The Chronicle says: The bark Rod-Bams, Jr.: for Mahukona: Dr. Garvin, erick Dhu. Captain Engalls, sailed yes-W. F. Drake, J. M. Souza, R. Hind, terday with a general cargo for Hilo. The C. L. Woodbury from Hilo and the schooner Ka Moi from Paaullo

The Oregonian sailed shortly before Father Telesphore, C. W. Dickey, wife six o'clock last evening for New York and two children, Mrs. J. A. Young, via Kahulul. She will receive 3,000

The Edward Sewall was fumigated yesterday and today will be towed Walter Scott, C. H. Cooke, Mrs. Otagani, outside the reef preparatory to sail-E. K. Bull, J. M. Coulson, F. G. Douse, ing. She finished loading her cargo of

The Nevadan came in from Kahului early yesterday morning and will sail nae: Miss L. Roback, Miss M. Kaialua: for the coast on June 9. She loaded 2167 tons of sugar at Kahulul and will take on the remainder of a cargo of 550 tons of sugar at the Railway

> Thomas Nadler, an Englishman from Australia, died on the last trip of the Ventura between Honolulu and San Francisco. He was seventy-eight years of age and was ill when he boarded the steamer, dying soon after the vessel left this city.

Purser Simerson reports on Kausi shipping as follows:

"The steamer Ke Au Hou was at Anahola discharging. The barkentine with 27500 bags sugar. The barkentine Kohala arrived at Electe yesterday hit noon, Fine weather on Kauat, Lumpy reas and northeast winds crossing the channel both ways."

The Kauni shiled last evening for Kaual ports and the Walaleale for Koloa. with "Crimp" McCarthy and will again

The bank Annie Johnson was towed to the Channel wharf yesterday and is being furnigated. She will take a cargo | tutton clocs not require it.

of sugar to San Francisco. An Australian paper says: The R. M. S. S. Aorangi which arrived at Brisbane from Vancouver recently, on March 26 passed for twelve hours through a sea of pumice. This is supposed to have been an effect of subsqueous eruptions.

## NAVY WILL TAKE OVER THE CHANNEL WHARF

#### Department Instruct Commandant to Request Treasury and Territory to Vacate Immediately.

Sir: I am in receipt of the following cablegram from the Navy Department:

"Notify Commissioner Sargent and Territorial Government to vacate all lands occupied by them belonging to this Department and take possession."

2. You will please be governed accordingly and will remove all property under your care at once from the "Channel" or Quarantine wharf and grounds adjacent thereto, as I will take possession in obedience to this order on Friday, June 12, Very respectfully yours U. S. G. WHITE,

Civil Engineer, U. S. Navy.

Commanding.

What will be the future of the Channel or Quarantine wharf is a matter which will be fought out in Washington immediately. Despite the implication in the act of Congress appropriating money for the erection of an immigration station, that the lands about the channel wharf were to be considered as under the control of the Treasury department, as soon as Commissioner Sargent's decision upon the location of his building becomes known, the Navy Department decides that it will take over the land for its own

The decision of the Department was made known to the custodian of government property here, Collector of Customs Stackable, yesterday, when he received the above message.

It is understood the Superintendent of Public Works, Cooper, had a similar

The evident assumption of authority by the Navy department is shown by the wording of the provision in the appropriation bill setting aside \$30,000 for an immigration station. This is in the Sundry Civil measure and reads as

"For the complete establishment of tion of necessary buildings at Hono-United States, adjoining wharf known every purpose connected therewith, and necessary to complete said station in all of its details, within the sum

医自由性压力性压力性 医性性性性性 医性性性 医二氏对氏征 医甲基氏性性性性性性性性性性性性性 Commissioner Sargent took this to mean that the President would give to the Treasury department the benefit of the evident wish of congress, that the lands needed about the Channel wharf be used for immigraton purposes. It was his intention to make additions to the wharf so that it would be capable of holding the people coming here, as well as containing the furnigating plant of the marine hos-

Immediately the demand of Capt. White was made known to the official of the Treasury department the wires were used to acquaint Washington with the status of affairs here. It is said that the demand will not only work great hardship, but will mean the practical confiscation of a valuable plant for the fumigation of imports, as well as making impossible the handling of freight from infected ports.

The quarantine or channel wharf is the only one which has in it a complete fumigating plant, where the incoming cargoes can be handled as the marine hospital service directs. On next Thursday or Friday the Coptic will come in with a large number of immigrants and a cargo of not less an immigration station and the erectihan 400 tons of merchandise, and if the order of the Navy stands there will lulu, Hawaii, on land owned by the be no place for the handling of the peoas Channel wharf, and for each and have to go on to San Francisco without discharging here.

Capt. White, is said to have no other hereby appropriated, thirty thousand message quoted, and none of the other trol of the Treasury department. federal officials would discuss the mat-

#### OR NOT TO BE COUNTIES

(Continued from page 1.)

The David Evans arrived yesterday of the regular session complete, as parts of them were in the hands of committees whose receipts therefor he held.

Finally, the court gave him until Monday morning at 10 o'clock None of them had any complaints to to produce the journals for comparison of proceedings with the copies of the bill exhibited.

Mr. Cooper submitted that Senate Bill No. 1 was the only one passed by the Senate on three seperate readings, and that the bill signed by the Governor never passed three readings.

Cross examined by the Attorney General, Clerk Savidge said Exhibit D was Senate Bill No. I as passed by the Senate on third read-Mr. McClanahan objected to the next question as to whether that was the bill that finally passed the Senate as certified by the officers of the House and the Senate, on the ground that the journals were the best evidence of action by the Senate. The Attorney General claimed that both exhibits were Senate Bill No. 1.

Judge Gear asked how was the witness to know what was the difference between the two documents.

Attorney General Andrews contended he had a right to get on record the difference between Exhibits C and D.

Judge Gear having allowed the question witness said Exhibit C was Senate Bill No. 1 as signed by the Governor. The court sustained an objection to further questioning on that line, the Attorney General taking an exception.

Witness said the 48th day's minutes produced were incomplete, wanting insertions of reports, etc. Mr. McClanahan was sustained in objection to the question as to whether the minutes required certification by officers to be complete. Mr. Andrews took an exception and requested witness, next time he appeared, to bring the rules of the Senate. Witness was allowed to withdraw the exhibits subject to the order of the court.

Mr. McClanahan announced that the respondent would put on no more evidence for the present, but was ready to proceed with argument on other points.

Mr. Davis at 3 o'clock began to argue on the submission that the return showed sufficient cause for dismissing the writ, in that Act 31 was absolutely null and void for the reason that it was in conflict with the Organic Act. He contined until 4 o'clock, when the court adjourned to 10 o'clock this morning.

From what the reporter gathered in the court precincts, the question of investigating the proceedings of the Legislature, behind the certificates of officers, is vitally related to the construction of local laws. In this light, the final decision of the fate of the County Act would turn on the construction by the Federal Supreme Court of Section 46 of the Organic Act above quoted. This is almost word for word the same as a provision of the Constitution of Illinois, where the principle of inquiry behind the official certificates has been affirmed.

A Wyoming case quoted yesterday decided that it was the duty of l the courts to inquire whether a law had been passed by a majority of members, and if the contrary were found the law was of no effect.

The first decision of the Federal Supreme Court was that an Act of Congress could not be inquired into, but the reason was that the Consti-

Arizona has a statute governing the decision in its case, so that suant to law in such cases made and no consitutional requirement was gone into. The question was one of then for the dissolution of the said corinquiring into whether things were done which the Constitution did poration, together with a certificate not require.

It is interesting to recall the fact that Judge Humphreys overruled Attorney A. G. M. Robertson in a proffer of evidence behind the certifi- been or are now interested in any mancates regarding the validity of an Act of the Legislature of 1901.

## PAIAI CONTRACT IS OF HOUSE OR TORY

(Continued from page 1.)

tion, and that the limit of 1,200 to 2,-400 bundles a month, made it optional to pay outside if the minimum had been purchased, in this case 1,500 having been shipped that month by Kalua. He reviewed the points of his report at length, being questioned by Long and others at some length.

Kumalae, Andrade, Greenwell and Fernandez took a shy at the question and then Long suggested that the three items of the claim be considered sep-

The first was for 500 bundles of paial, recommended by the whole committee, \$641.75, being the total, there was an unanimous vote. The second claim was for \$623.50 for the 500 bundles shipped without order, on when the vote was ayes 17, noes 8. On the third claim for 166 bundles paint, rejected, \$213.05, the vote was ayes 16, noes 9. The last claim for \$34.50, for 46 bundles rejected as "loliloli," was refused by the House. This reduced the total of the claim to \$1,468.10.

This completed the work on the items and the adminstrative sections were passed, as was the title.

The recapitulation shows the follow-

Judiciary department ......\$ 12,560.80 Treasury department. ...... 7,530.35 Department Public Works... 168,999.80 Department Public Instruc-Board of Health..... 3,745.88 Secretary's office ..... 126.50 Attorney General's office..... 4.149.00

Total. . .....\$205,700.86 The committee rose and recommended the passage of the amended bill the full report to be made today. The House then adjourned.

ter, as each one has taken his superior in Washington into his confidence and asked what shall be done. The Health authorities are making a big fight, so that there may be full protection for the people here against any possible landing of merchandise or persons from infected ports, without complete sterilization. It is being argued that the Navy has

absolutely no use for the spit which runs out alongside the harbor, has no appropriation to improve it and can make no disposition of the Channel wharf, but to close it up and wait for some time in the future when use may ple or freights, so that the vessel may arise. Representations to this effect are being made to Washington, and it is the expectation that the President will take the lands out of the hands information than is contained in the of the Navy and place them under con-

#### SEWALLS GETTING READY TO SAIL

The Edward Sewall was towed outde the reef yesterday morning by the Fearless and will sail within a day or two. She shipped a new crew at this

The sailors from the Arthur Sewall were discharged yesterday and paid off through the shipping commissioner. make, so the commissioner said. The Arthur Sewall will also ship a new crew here.

#### SCOTT'S EMULSION

makes pale, thin children fat and chubby. Overcomes wasting tendencies and brings back rosy cheeks and bright

It's surprising how quickly children respond to Scott's Emulsion. It contains just the element of nourishment their little bodies need. They thrive on it.

Even a few drops in the baby's bottle have a noticeable effect for good. Nothing better than Scott's Emulsion for growing children.

Why do substitutes for Scott's Emulsion cost less? Because they're worth less. With one you wait in vain for the benefits you had looked for. In Scott's Emulsion you get them. It never disappoints. That's worth the few cents difference in cost.

We'll send you a sample free upon request. SCOTT & BOWNE, 409 Peul Street, New York

#### BY AUTHORITY

TERRITORY OF HAWAIL

Treasurer's Office, Honolulu, Oahu. In re Dissolution of the Judd & Com-| pany. Limited.

Whereas, the Judd & Company, Limited, a corporation established and exlisting under and by virtue of the laws of the Territory of Hawaii, has purprovided, duly filed in this office, a petithereto annexed as required by law.

Now, therefore, notice is hereby givper whatsoever in the said corporation,

that objections to the granting of the said petition must be filed in this office on or before 9 o'clock a. m., . uly 15th, 1903, and that any person of persons desiring to be heard thereon must be in attendance at the office of the undersigned, in the Capitol Building, Honolulu, at 9 o'clock a. m., of said day, to show cause, if any, why said petition should not be granted.

A. N. KEPOIKAI, Treasurer Territory of Hawaii, Honolulu, May 6th, 1908. 2487

#### **COURT NOTICES**

UNEA ESTATE

IN THE CIRCUIT COURT OF THE SECOND CIRCUIT, TERRITORY OF HAWAII-IN PROBATE-AT CHAMBERS.

In the Matter of the Estate of Kilikina Unea (w), late of Kalaupapa, Molokai, Deceased.-Order of Hearing and Publication of Notice for Probate of Will. A Document purporting to be the

Last Will and Testament of Kilikina Unea, deceased, having on the 6th day of May, A. D. 1903, been presented to said Probate Court, and a Petition for the Probate thereof, and for the Issuance of Letters of Administration with Will Annexed to Jno. T. Unea having been filed by said John T. Unea;

It is hereby ordered, that Friday, the 12th day of June, A. D. 1903, at 10 o'clock a. m., of said day, at the Court Room of said Court, at Walluku, Maui. be and the same hereby is appointed the time and place for proving said Will and hearing said application. Dated Walluku, Maul, T. H., May

6th, 1903. By the Court: L. R. CROOK,

2486-May 12, 19, 26.

ALLEN ESTATE

IN THE CIRCUIT COURT OF THE

FIRST CIRCUIT, TERRITORY OF HAWAII—AT CHAMBERS—IN PROBATE. In the Matter of the Estate of Samuel Clesson Allen, late of Honolulu, Oahu, deceased testate-Order for

Notice of Hearing Petition for Probate of Will. A Document purporting to be the Last Will and Testament of Samuel Clesson Allen, deceased, having on the 19th day of May, A. D. 1903, been presented to said Probate Court, and a Petition for the Probate thereof, and for the issuance of Letters Testamentary to Bathsheba M. Allen, Mark P. Robinson, Joseph O. Carter and Paul

Muhlendorf having been filed by said Bathsheba M. Allen, widow of dece-It is hereby ordered, that Monday, the 6th day of July, A. D. 1903, at 10 o'clock a. m., of said day, at the Court Room of said Court, at the Judiciary Building in Honolulu, Island of Oahu, Territory of Hawaii, be and the same

hereby is appointed the time and place for proving said Will and hearing said application. It is further ordered, that notice thereof be given, by publication, once a week for four successive weeks, in the Hawaiian Gazette and Hawaiian Star, semi-weekly and daily newspapers respectively, published in said Honolulu, the last publication to be not

less than ten days previous to the time therein appointed for hearing. Dated at Honolulu, Oahu, Territory of Hawaii, May 20th; A. D. 1903. J. T. DE BOLT,

First Judge, Circuit Court, First Circuit, Territory of Hawaii. Attest:

P. D. KELLETT, JR. Clerk.

Kinney, McClanahan & Bigelow, attorneys for Petitioner. 2489-May 22, 29, June 5, 12, 19.

#### **FORECLOSURES**

LILINOE.

MORTGAGEE'S NOTICE OF INTENTION TO FORECLOSE AND OF FORECLOSURE SALE. In accordance with the provisions of

i certain mortgage made by Lilinoe (k) to W. R. Castle, Trustee, dated October 5, 1897, recorded liber 171, page 341, notice is hereby given that the mortgagee intends to foreclose the same for condition broken, to wit: non-payment of interest and principal when due.

Notice is likewise given that after the expiration of three weeks from the date of this notice, the property covered by said mortgage will be advertised for sale at public auction, at the auction rooms of Jas. F. Morgan, in Honolulu, on the 6th day of June, 1903, at 12 noon of said day.

Further particulars can be had of W. R. Castle, attorney for mortgagee. Dated Honolulu, May 8, 1902. W. R. CASTLE, TRUSTEE, Mortgagee.

The premises covered by said mortgage consist of:

That certain piece or parcel of land situate in Ooma, North Kona, Hawaii, and covered by homestead lot No. 51 on which was issued Grant No. 3805 to Kahinu, containing 14.80 acres. W. R. CASTLE, TRUSTEE, Mortgagee.

For further particulars apply to W. R. Castle or W. L. Whitney, attorneys for Mortgagee.

#### NOTICE TO CREDITORS

HONS ESTATE.

Notice is hereby given that the undersigned has this day been duly appointed Executor of the last Will and Testament of George Hons, late of Wailuku, Maui, deceased, by order of the Judge of the Circuit Court, Second Circuit, Territory of Hawaii, and all creditors of said deceased are hereby notified to present their claims duly authenticated with the proper vouchers, if any exist, even if the claim is secured by mortgage upon real estate, to the undersigned at his place of business at the office of the Kahului Raffroad Company, Kahului, Maui, Territory of Hawait, within six months from the first publication of this notice. All claims not presented as aforesaid will be forever barred.

Dated at Walluku, Maul, Territory of Hawall, May 14th, 1903.

FERDINAND HONS. Executor of the Last Will and Testament of George Hons, deceased. James L. Coke, Attorney for said es-

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